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Thursday, February 5, 1976
Magha 16, 1897 (Saka)

LOK SABHA DEBATES

(Fifteenth Session)

(Vol. LVI contains Nos. 11 - 20)

LOK SABHA SECRETARIAT
NEW DELHI

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LOK SABHA

Thursday, February 5, 1976/ Magha 16, 1897 (Saka)

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER *in the Chair*]

WELCOME TO KUWAIT PARLIAMENTARY DELEGATION

MR. SPEAKER: Honourable Members, at the outset, I have to make an announcement.

On my own behalf and on behalf of the hon. Members of the House, I have great pleasure in welcoming His Excellency Mr. Khalid Saleh Al-Ghunaim, MP., Speaker of the Kuwait National Assembly, Mrs. Al-Ghunaim and the hon. Members of the Kuwait Parliamentary Delegation who are on a visit to India as our honoured guests The other Members of the delegation are:

1. Mr. Ibrahim Ali Khuraibitt. MP.,
2. Mr. Rashid Abdullah Al-Farhan, MP.,
3. Mr. Salim Khalid Al-Narzook, MP.,
4. Mr. Abbas Habib Munawar, MP.,
5. Mr. Abdullah Fahad Ali Laffi. MP.,
6. Mr. Mohammed Wasmy Al Sideran, MP., and
7. Mr. Farid Eabbal.
8. Mr. Thuniah Humoud Al-Radaan, and
9. Mr. Feisel Mohammed Khuraibitt.

The delegation arrived this morning and will be in India till the 11th February. They are now seated in the Special Box. We wish them a happy and fruitful stay in our country. Through them we convey our greetings and best wishes to the Parliament, Government and people of Kuwait.

11.01 hrs.

PAPERS LAID ON THE TABLE

NOTIFICATIONS UNDER ESSENTIAL COMMODITIES ACT, 1955

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI SHAHNAWAZ KHAN): I beg to lay on the Table—

(1) A copy each of the following Notifications (Hindi and English versions) under sub-section (6) of section 3 of the Essential Commodities Act, 1955:—

(i) The Vegetable Oil Products Control (Amendment) Order, 1975, published in Notification No. G.S.R. 309(E) in Gazette of India dated the 30th May, 1975.

(ii) The Vegetable Oil Products (Standards of Quality) Order, 1975, published in Notification No. G.S.R. 310(E) in Gazette of India dated the 30th May, 1975.

(2) A statement (Hindi and English versions) showing reasons for delay in laying the above Notifications [*Placed in Library. See* No. LT-10329/76.]

ANNUAL REPORT OF INDIAN STANDARDS INSTITUTION FOR 1974-75

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND CIVIL SUPPLIES (SHRI B. P. MAURYA): beg to lay on the Table a copy of the Annual Report (Hindi and English versions) of the Indian Standards Institution, New Delhi, for the year 1974-75. [*Placed in Library. See* No. LT-10330/76.]

NOTIFICATION UNDER CENTRAL EXCISE RULES, 1944

THE MINISTER OF STATE INCHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): I beg to lay on the Table a copy of Notification No G.S.R. 132 (Hindi and English versions) published in Gazette of India dated the 31st January, 1976, issued under the Central Excise Rules, 1944, together with an explanatory memorandum [*Placed in Library. See* No. LT-10331/76.]

ANNUAL REPORT OF INDIAN DAIRY CORPORATION, BARODA FOR 1974-75, SEEDS (AMDT.) RULES, 1974 AND A STATEMENT

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI SHAHNAWAZ KHAN): On behalf of Shri Annasahib P. Shinde, I beg to lay on the Table—

(1) A copy of the Annual Report (Hindi and English versions) of the Indian Dairy Corporation, Baroda, for the year 1974-75 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of section 619A of the Companies Act, 1956. [*Placed in Library. See* No. LT-10332/76.]

(2) (i) A copy of the Seeds (Amendment) Rules, 1974 (Hindi and English versions) published in Notification No. G.S.R. 211(E) in Gazette of India dated the 29th April, 1975, under sub-section (3) of section 25 of the Seeds Act, 1966.

(ii) A statement (Hindi and English versions) showing reasons for delay in laying the notification mentioned at (i) above. [*Placed in Library. See* No. LT-10333/76.]

REVIEW & ANNUAL REPORT OF INDIAN PETROCHEMICALS CORPORATION LTD., BARODA FOR 1974-75

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM (SHRI ZIAUR RAHMAN ANSARI): I beg to lay on the Table a copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:—

(1) Review by the Government on the working of the Indian Petrochemicals Corporation Limited, Jawaharnagar (Baroda) for the year 1974-75.

(2) Annual Report of the Indian Petrochemicals Corporation Limited, Jawaharnagar (Baroda) for the year 1974-75 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon [*Placed in Library See* No. LT-10334/76.]

COMPANIES (CENTRAL GOVERNMENT'S) GENERAL RULES & FORMS (AMDT.) RULES, 1976, DRAFT ORDER UNDER COMPANIES ACT, 1956 AND NOTIFICATIONS UNDER DELIMITATION ACT, 1972

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): I beg to lay on the Table—

(1) A copy of the Companies (Central Government's) General Rules and Forms (Amendment) Rules, 1976

(Hindi and English versions) published in Notification No. G.S.R. 154 in Gazette of India dated the 31st January, 1976 under sub-section (3) of section 642 of the Companies Act, 1956. [*Placed in Library. See* No. LT-10335/76].

(2) A copy of the Draft Order (Hindi and English versions) No. 33/8/76-CL.III to be issued under sub-section (4) of section 81 of the Companies Act, 1956 directing M/s. Bharat Ophthalmic Glass Limited, Durgapur, to convert a part of its loan into equity share capital, under sub-section (6) of section 81 of the said Act. [*Placed in Library. See* No. LT-10336/76.]

(3) A copy each of the following Notifications (Hindi and English versions) under sub-section (2) of section 11 of the Delimitation Act, 1972:—

(i) S.O. 38(E) published in Gazette of India dated the 14th January, 1976 making certain corrections in the Delimitation Commission's Order No. 27 dated the 8th November, 1974 in respect of the State of Gujarat.

(ii) S.O. 51(E) published in Gazette of India dated the 22nd January, 1976 making certain corrections in the Delimitation Commission's Order No. 8 dated the 8th December, 1973 in respect of the State of Uttar Pradesh.

(iii) S.O. 54(E) published in Gazette of India dated the 22nd January, 1976 making certain corrections in the Delimitation Commission's Order No. 19 dated the 31st July, 1974 in respect of the State of Himachal Pradesh. [*Placed in Library. See* No. LT-10337/76.]

STATEMENTS RE. ACTION TAKEN BY GOVERNMENT ON VARIOUS ASSURANCES ETC.

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIMENTARY AFFAIRS (SHRI B. SHANKARANAND): I beg to lay on the Table the following statements showing the action taken by the Government on various assurances, promises and undertakings given by the Ministers during the various sessions of Fifth Lok Sabha:—

(i) Statement No. XXXI—Fourth Session, 1972

(ii) Statement No. XIX—Sixth Session, 1972

(iii) Statement No. XXIV—Seventh Session, 1973

(iv) Statement No. XVI—Ninth Session, 1973

(v) Statement No. XX—Tenth Session, 1974

(vi) Statement No. XIII—Eleventh Session, 1974

(vii) Statement No. XII—Twelfth Session, 1974

(viii) Statement No XVI—Thirteenth Session, 1975. [*Placed in Library. See* No. LT-10338/76.]

ACCOUNTS OF *I.I.T.* DELHI FOR 1973-74 AND A STATEMENT

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S. NURUL HASAN): On behalf of Shri D. P. Yadav, I beg to lay on the Table—

(1) A copy of the Certified Accounts of the Indian Institute of Technology, Delhi for the year 1973-74 along with the Audit Report thereon, under sub-section (4) of section 23 of the Institutes of Technology Act, 1961.

[Prof. S. Nurul Hasan]

(2) A statement (Hindi and English versions) explaining reasons for not laying simultaneously the Hindi version of the above document. [*Placed in Library. See* No. LT-10339/76.]

11.1 1/2 hrs.

COMMITTEE ON PETITIONS

MINUTES

SHRI JAGANNATH RAO (Chatrapur): I beg to lay on the Table the Minutes of the Fifty-eighth to Seventy-seventh sittings of the Committee on Petitions.

11.2 hrs.

MESSAGES FROM RAJYA SABHA

SECRETARY-GENERAL: Sir, I have to report the following mesasge received from the Secretary-General of Rajya Sabha:—

"In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 3rd February, 1976, agreed without any amendment to the Parliamentary Proceedings (Protection of Publication) Repeal Bill, 1976, which was passed by the Lok Sabha at its sitting held on the 28th January 1976."

11.2½ hrs.

LEAVE OF ABSENCE FROM THE SITTINGS OF THE HOUSE

MR. SPEAKER: The Committee on Absence of Members from the Sittings of the House in their Twenty-fourth Report have recommended that leave of absence from the Sittings of the House be granted to Shri Samar Guha for the period from the 5th to 7th August, 1975 (Fourteenth Session) and the 5th January to 5th February, 1976 (Fifteenth Session).

Is it the pleasure of the House that leave as recommended by the Committee may be granted?

SEVERAL HON. MEMBERS: Yes.

MR. SPEAKER: So, leave is granted and the Member will be informed accordingly.

11.3 hrs.

PUBLIC ACCOUNTS COMMITTEE

HUNDRED AND NINETY-FIFTH REPORT

SHRI H. N. MUKERJEE (Calcutta-North-east): I beg to present the Hundred and ninety-fifth Report of the Public Accounts Committee on paragraph 10 of the Report of the Comptroller and Auditor General of India for the year 1973-74, Union Government (Railways) relating to Rajdhani Express.

ESTIMATES COMMITTEE

EIGHTY-NINTH REPORT

SHRI R. K. SINHA (Faizabad): I beg to present the Eighty-ninth Report of the Estimates Committee on the Cabinet Secretariat (Department of Personnel and Administrative Reforms)—Recruitment, Training and Orientation of All-India Services.

11.4 hrs.

COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES

(i) FORTY-EIGHT REPORT

SHRI D. BASUMATARI (Kokrajhar): I beg to present the Forty-eighth Report of the Committee on the Welfare of Scheduled Castes and Sche-

duled Tribes (English and Hindi versions) on the Ministry of Finance (Department of Banking)—Recruitment of Probationary Officers in the Bank of India.

11.41/2 hrs.

STATEMENT RE. FALL IN PRICES OF NATURAL RUBBER

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): The price of natural rubber has been showing a downward trend since the middle of 1975. Representations have been received from rubber growers for allowing export of the surplus rubber in the country. The price at one stage touched a figure of Rs. 665|- per quintal against an average price of around Rs. 800/- per quintal till July 1975. A series of meetings were held in the Commerce Ministry with the growers of rubber and representatives of tyre/non-tyre manufacturers. It was found that the prices were sagging because of the inability of the manufacturing industry to maintain their rubber stocks for 2½ months which they were generally supposed to do. An appeal was, therefore, made to the industry to maintain the normal stock in order to give relief to the growers who were forced to hold abnormally high stocks. The representatives of the manufacturing industry indicated their financial problems in the tight credit conditions obtaining in the country at present which prevented them from holding such stocks. They already had a high inventory of finished goods held in stock by them. They were assured that their applications for credit facilities on being received will be forwarded to the Reserve Bank of India through the Finance Ministry for consideration. Only one application was received which was accordingly forwarded.

Though there was a temporary improvement in the price of rubber it started sagging again from December, 1975 and reached a low level of Rs. 680/- per quintal during the last few days. There were fresh representations from rubber growers for allowing export of rubber to relieve them of their stocks and also for stabilising rubber prices. This was also reiterated when I visited Kottayam on the 24th and 25th January, 1976.

On my return to Delhi, a meeting was immediately called by me with the Industrial Adviser, Directorate General of Technical Development and the Chairman, Rubber Board to review the demand and supply position of rubber. It was agreed that taking into consideration the anticipated consumption of rubber during 1975-76 by the industry, there would be some surplus of natural rubber after providing for the required buffer stock in the country for four months' requirements.

Government are seriously considering a solution to the problem of low price created by the surplus rubber and also the inability of the manufacturing industry to increase their off-take inspite of appeals by the Ministry. I expect that a decision would be taken in this regard shortly.

11.10 hrs.

QUESTION OF PRIVILEGE RE. ALLEGED ARREST OF KUMARI MANIBEN PATEL, M. P. AT DELHI.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS, DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA): Sir, according to a report received from the Delhi Administration, Delhi Police and information about the intended demonstration against emergency by some persons at Chandni

[Shri Om Mehta]

Chowk on 12th December, 1975. Appropriate arrangements were made for maintenance of law and order under the supervision of senior officers. Around 4.30 P.M., some persons came in different groups to that area and shouted anti-emergency slogans. The slogans raised by the demonstrators attracted notice by the general crowd in that area, and some tension started building up. The police thereupon arrested some demonstrators as a preventive measure. The tension continued. Kumari Manibhen Patel, M.P. was also seen standing near the place of trouble. The police officers on the spot felt that if Kumari Manibhen Patel was allowed to remain there, she might get caught up in the midst of the agitated crowd and some harm may be caused to her person. She was, therefore, taken to the Kashmere Gate Police Station in a Police jeep, in the interests of her security. *(Interruptions.)* When we do something good, even then they langh.

At the police station, she was given facilitnes for brief rest. After the crowds subsided and the area became nomal, she was escorted in a police vehicle to her residence.

Kumari Manibhen Patel was not arrested by the police.

कुमारी मणिबेन पटेल (साबरकांठा) : अध्यक्ष महोदय, वहां मुझे ले जा कर मेरा नाम पूछा गया, मेरे निशान लिये गये मेरी उम्र पूछी। यह सब जब जेल में किसी को ले जाते है तब किया जाता है। मैं जानना चाहती हू कि पुलिस की जीप में मुझे क्यों ले गये? बहुत सी पुलिस भी मेरे साथ थी और घर पर भी मुझे छोड़ने साथ आयी, जिस में पुलिस अफसर और महिला पुलिस अफसर मेरे साथ आयी थी। मैं मानती हू कि कश्मीरी गेट पुलिस थाने पर मुझे नहीं बिठाया गया, लेकिन वह सब पूछताछ की गई जो कि किसी को पकड़ने के वक्त जेल में की जाती है। मैं जानना चाहती हूं कि क्या मेरे साथ जेल किया गया था या मुझे सैर कराने के लिये पुलिस जीप में ले गये थे?

अध्यक्ष महोदय अब यह कहते हैं कि अरेस्ट नहीं किया था।

SHRI H. M. PATEL (Dhandhuka): The Minister seems to take this very lightly. He accepts the police version that this was for the security and protection of the hon. member. Even if that was so, I think it would be proper for him to take the matter a little more seriously and find out why these questions were put. Was it because they were not quite certain if the was Kumari Manibhen Patel? In fact, however, as the statement reads, they certainly knew whom they were arresting. If this was done for her protection, there was surely no need for asking the other questions unless they were afraid of a mistaken identity.

MR. SPEAKER: Let us not go into a debate over this matter.

SHRI DASARATHA DEB (Tripura East): It requires investigation. Only when a person is taken into custody, the mark on the body etc. has to be found out. Otherwise, this question does not arise at all. It has got to be investigated whether the Member was arrested or she was taken in the Police jeep just for her safety.

MR. SPEAKER: The House will remember that on the last occasion I requested the Minister to make investigation and report. He has now reported and it is before the House. If there is a doubt about the veracity of the fact, then we cannot do anything. There must be a finality about it. When the statement is made, we cannot do anything. The Chair has no means to investigate.

SHRI DINEN BHATTACHARYYA (Serampore): This should be referred to the Privileges Committee.

MR. SPEAKER: This is not a case for Privileges Committee.

SHRI H. M. PATEL: The point is that the statement in itself *prima facie* shows that it is not an accurate statement of fact. According to the statement, the Police saw Kumari Mani Ben Patel near the spot of trouble and for her security, the police thought that she should be taken away. If that was so, what was the need for taking her away in a jeep and then putting all these various questions? That would be under-standable only if there were some doubts about her identity. Could there be any ground for doubt as to the identity of Kumari Mani Ben Patel who has been in this city for a number of years and who should be well known to the police?

MR. SPEAKER: I think, we should not go into this matter further because the Minister has denied that she has been arrested. Therefore, at this stage, I think, let us conclude this

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11 18 hrs.

COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES—*contd*

(ii) EXTENSION OF TERM OF OFFICE

The Minister of State in the Ministry of Home Affairs, Department of Personnel and Administrative Reforms and Department of Parliamentary Affairs.

(SHRI OM MEHTA): I beg to move.

"That this House do suspend sub-rule (2) of rule 381 B of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the motion for extension of the term of office of the present members of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes."

The term of the present Committee is expiring and the next Committee would be held in the next Session and so, there would be a vaccum. To avoid this, it was thought, let the term of the present Committee be extended by two months so that by next March/April, there would be elections and we could hold the Committee.

MR. SPEAKER: The question is:

"That this House do suspend sub-rule (2) of rule 331 B of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the motion for extension of the term of office of the present members of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes."

The motion was adopted.

SHRI OM MEHTA: I beg to move:

"That this House do further extend the term of office of the present members of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes from Lok Sabha upto the 31st March, 1976"

MR SPEAKER: The question is.

"That this House do further extend the term of office of the present members of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes from Lok Sabha upto the 31st March, 1976"

The motion was adopted.

SHRI OM MEHTA: I beg to move:

"That this House do intimate to Rajya Sabha that the term of office of the present members of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes from Lok Sabha has been further extended upto the 31st March, 1976 and do recommend to Rajya Sabha that they do take such action as they may deem fit in regard to the association of the members of Rajya Sabha with the said Committee."

MR. SPEAKER: The question is:

"That this House do intimate to Rajya Sabha that the term of office of the present members of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes from Lok Sabha has been further extended upto the 31st March, 1976 and do recommend to Rajya Sabha that they do take such action as they may deem fit in regard to the association of the members of Rajya Sabha with the said Committee."

The motion was adopted.

11.21 hrs

IRON ORE MINES AND MANGANESE ORE MINES LABOUR WELFARE FUND BILL*

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): I beg to move for leave to introduce a Bill to provide for the financing of activities to promote the welfare of persons employed in the iron ore mines and manganese ore mines.

SHRI ERASMO DE SEQUEIRA (Marmagoa): I have given a notice in the morning on this, at 10 o'clock.

MR. SPEAKER: It is late. Now the question is:

"That leave be granted to introduce a Bill to provide for the financing of activities to promote the welfare of persons employed in the iron ore mines and manganese ore mines."

The motion was adopted.

SHRI RAGHUNATHA REDDY: I introduce the Bill.

11-22 hrs.

IRON ORE MINES AND MANGANESE ORE MINES LABOUR WELFARE CESS BILL*

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): I beg to move from leave to introduce a Bill to provide for the levy and collection of a cess on iron ore and manganese ore for the financing of activities to promote the welfare of persons employed in the iron ore mines and manganese ore mines and for matters connected therewith or incidental thereto.

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill to provide for the levy and collection of a cess on iron ore and manganese ore for the financing of activities to promote the welfare of persons employed in the iron ore mines and manganese ore mines and for matters connected therewith or incidental thereto."

The motion was adopted.

SHRI RAGHUNATHA REDDY: I introduce† the Bill.

MR. SPEAKER: Now the Bills for consideration and passing.

SHRI S. M. BANERJEE (Kanpur): It is about the Industrial Disputes Act. I have a submission, Sir. We really wanted the Commerce Minister to be here. (*Intrruptions*) The Deputy Minister of Commerce Shri Vishwanath Pratap Singh was here. He has also gone. (*Interruptions*) There are so many clauses going on. We were told that a statement will be made in this House. We have been demanding a statement from the hon.

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*Published in the Gazette of India Extraordinary, Part II, section 2, dated 5-2-76.

†Introduced with the recommendation of the President.

Minister. (*Interruptions*) The Labour Minister will say that the Commerce Minister will do it. The Commerce Minister has gone to Manila. The Deputy Minister has left. We do not know what to do with this. I want the Commerce Minister to be here, because we want definitely a statement as to what has happened (*Interruptions*) ....

MR. SPEAKER: I think the Minister will ask his colleagues to be here.

SHRI RAGHUNATHA REDDY: These questions can be raised in the course of the debate. (*Interruptions*)

DR. RANEN SEN (Barasat): Let me submit one point in this connection. The point is that in many labour consultative committees—I am on the national apex body—we had demanded the presence of the representatives of Commerce Ministry, because we have been discussing the cases of jute, textile and some other industries which are under the Commerce Ministry; and the Labour Minister or the Labour Ministry cannot do anything in that regard. Therefore, this is very relevant.

SHRI RAGHUNATHA REDDY: We will send a message immediately.

SHRI S. M. BANERJEE: What will the Labour Minister do? He will simply say that this bill is very good; and so, it should be passed. (*Interruptions*) We want the Commerce Minister and want him to answer today as to what has happened to the decisions which the apex body had taken about taking over certain.... (*Interruptions*). I want that statement. To-day is the last date.

MR. SPEAKER: Now the Deputy Minister of Commerce is here.

11.25 hrs.

INDUSTRIAL DISPUTES (AMENDMENT) BILL

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): I beg to move:

"That the Bill further to amend the Industrial Disputes Act, 1947, as passed by Rajya Sabha, be taken into consideration."

Sir, it is a matter of common knowledge that there has been an increase in the incidence of unjustified lay-offs, retrenchments and closures of industrial establishments in the recent past. The Government is highly concerned about it. To find a solution to this continuing Problem, the matter was placed before the National Apex Body and the State Labour Ministers' Conference. At the meeting of the National Apex Body held on the 13th August 1975, as some of the hon. Members know, that body urged that there should not be any unilateral lay-off in any unit or industry, and that the same principles should apply in respect of retrenchments and closures. Unfortunately, the sound advice of the Apex Body was not heeded by some employers, resulting in hardship to workers and setback in production.

This issue again came up at the meeting of the Apex Body held on 10th January 1976. While addressing the Members of that Body, our esteemed Prime Minister mentioned that:

> "the employers have at some times taken a very narrow view in an effort for greater profits, and as quickly as possible"

While referring to lay-offs and retrenchments, the Prime Minister again mentioned that when matters could not be sorted out peacefully, "you have to be forced into doing something." This question has also been exercising the minds of all the State Labour Ministers for quite some time. At the Labour Ministers' Conference held on 19th September, 1975 the Labour Ministers unanimously recommended additional powers for the appropriate Government to prevent lay-offs, retrenchments and closures. This they again reiterated at the subse-

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quent conference held on the 11th January, 1976. National Trade Union Organisations for quite some time past have been pressing for legislative checks to such practices.

After the promulgation of the emergency, there has been a significant fall in the mandays lost due to strikes However, as mentioned earlier, there have been many cases of large-scale offs, particularly by big companies Reports received from some of the State Governments show that during the period July to December 1975, the number of workers laid off were about 2,21,209 in West Bengal, 41,521 in Maharashtra, 19,895 in Uttar Pradesh, 8,199 in Gujarat, 6,803 in Kerala, 4,527 in Rajasthan and 1,275 in Delhi. Though full information from all the States are still awaited, the figures quoted above indicate the gravity of the problem. Similar instances have come to notice regarding increased number of retrenchments, particularly in the private sector industries in the States' sphere.

When higher production is the need of the hour, such cases of lay-offs, retrenchments and closures tend to indicate that perhaps a section of management is deliberately reducing production to push up prices in order to maintain the rate and level of higher profits. All the monetay and fiscal measures taken so far to combat inflation in the economy would become rather ineffective if this tendency is allowed to grow.

The Industrial Disputes Act, 1947 does not contain any provision for preventing lay-offs and retrenchments. Cases of closure of important units are all too well-known to the Members of this House. I do not intend to burden them with figures and statistics in this regard. The managerial mismanagement, diversion of funds, internal factions, sheer incompetence result in closure of factories and establishments. Managements cannot have any "divine right" to mismanage, causing disruption in production and unemployment. This is a situation which no Government, conscious of its responsibility to the people, can watch helplessly. Though the Act provide for 60 days' notice by the employer prior to closing down an establishment employing 50 or more persons, it does not provide for any prior scrutiny of the reasons for such closure. The employers now have unfettered right to close down an establishment subject to the provision of the 60 days' notice.

You would agree with me that the climate created by the emergency should not be vitiated. Anybody who creates a bottleneck in the process of production is acting against the interests of the nation. We have to take measures for removing the feeling of demoralisation that might set in among large sections of the working class as a result of unilateral lay-offs, retrenchments and closures by the employers. With a view to preventing avoidable hardships to the employees and maintaining higher tempo of production and productivity, it has become now necessary to put some reasonable restrictions on the employees' right to lay-off, retrenchment and closure. This has to be done taking into consideration the constitutional provision.

In the Bill that is now before the House, there are provisions for obtaining prior approval of the appropriate Government in the case of lay-offs, retrenchments and closures in factories, mines and plantations employing 300 or more workers, covering approximately 66 per cent of employees in factories alone. In the interest of rehabilitation of workmen and for maintenance of supplies and services essential to the life of the community, a provision has also been made in the Bill for re-starting the undertakings which have already been closed down, otherwise than on account of unavoidable circumstances beyond the control of the employers.

With a view to making this process less cumbersome and make imple-

mentation speedier and prompt, the Bill lays down time limits within which actions are to be completed. I can assure hon. Members that prompt action will be taken by the authorities concerned in giving effect to the provisions of the Bill. For specific purposes of prior approval, the Central Government has been made the appropriate Government in respect of companies in which not less than fiftyone per cent of the paid-up shares capital is held by the Central Government and the corporations established by or under any law made by Parliament.

We have made this legislation applicable to larger establishments in factories, mines and plantations. This we have done due to the fact that the problems of lay-offs, retrenchments and closures are more pronounced in this sector of industrial establishments. Establishments employing less than 300 workmen have been excluded. It would be administratively difficult to enforce the law if its coverage is extended to innumerable small establishments. A law, however good it may look on paper, which is difficult to administer, cannot be called a good law. Moreover, we are conscious of the fact that by and large, small-scale industries behave with a greater sense of responsibility because their survival depends on production. But people who have got higher financial facilities have a longer staying power. The chain undertakings or inter-connected undertakings have greater financial capacity and hence they can bear any burden that the law may enforce.

Hon. Members will kindly agree with me that the proposals contained in the Bill are least controversial and are most beneficial for the working class. Therefore, I appeal to hon. Members to kindly pass this Bill even without a discussion in view of the largely ameliorative provisions of this Bill.

I move:

MR. SPEAKER: Motion moved:

"That the Bill further to amend the Industrial Disputes Act, 1947, as passed by Rajya Sabha, be taken into consideration."

SHRI S. M. BANERJEE (Kanpur): May I know how much time has been allotted to this Bill?

MR. SPEAKER: Two hours.

SHRI S. M. BANERJEE: That is not sufficient.

MR. SPEAKER: Then you can have maximum three hours for this and one hour for the next Bill. We will take up the discussion on cane price at about 4 O'Clock.

SHRI S. M. BANERJEE: There are a large number of instances where workers have been retrenched, and he is asking us to pass it without discussion. We want four hours.

SHRI NARSINGH NARAIN PANDEY (Gorakhpur): We should have discussion on this issue at least for four hours. It was said by the Minister of Parliamentary Affairs that it would take four hours. It is a very important issue for the whole country. If you have not got time today, then postpone it for tomorrow at 11 A.M. If you cannot give four hours for this issue, then I will request you to postpone it for tomorrow.

MR. SPEAKER: Not tomorrow. We can begin this issue of cane price at 4 P.M. Before that, let us finish both these Bills. You can spend some time more on this. Please do not postpone it till tomorrow. Otherwise, you may not get the time.

SHRI S. M. BANERJEE: As far as the issue of levy is concerned, it can come tomorrow.

MR SPEAKER: Let us finish it.

SHRI. DINEN BHATTACHARYYA (Serampore): Mr. Speaker, Sir, I am rather happy that today Mr. Raghunatha Reddy while introducing the Bill has not quoted Marx and Lenin,

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which he had quoted yesterday, and as a reaction to it, Mr. Indrajit Gupta had to say, "Do not disturb those two great men who are now resting in their graves." I think in the concluding speech, he will not bring those persons again in this House.

SHRI RAGHUNATHA REDDY: I can assure my friend that I am not going to quote today.

SHRI DINEN BHATTACHARYYA: Thank you very much. According to the assurances given by him and the statement of objects and reasons, I am sorry to say that he has belied all the expectations and the hopes that we had at least after passing the Bonus Bill, which is nothing but a 'no-Bonus' Bill or denial of the bonus to the workers, you should come forward with a bill at least which will not 'reasonably' restrict but 'effectively' restrict and bar the lay-off, retrenchment and closure. So, at the outset, I want to say that this Bill is a Bill which gives a licence to the companies to declare lay-offs and closures. There will be no effective check on them.

In spite of the assurance given by the Prime Minister, and in spite of the suggestion made by your 'show-boy,' the apex body, in which only unions which fully ditoed the policy of the Government of India were allowed to participate. I had the occasion to be present in a meeting in which I was invited as a representative of recognised union. This was in respect of vanaspati industry—vegetable oil. There the Minister had the audacity to say that those who did not believe in the Government's policy in toto might walk out of the meeting. I am sorry to say that I did not retort on that day for some obvious reason. Now I want to repeat that even after the meeting of the 'apex body', it is a matter of surprise, that you have made no provision for really checking the employers and seeing that there will be no lay-offs, no retrenchment and closure. You have not provided any penal provisions also.

Now, the employers have to intimate to you before the closure or the retrenchment or the lay-off. The employers will send you a prior notice and you will make some cyclostyled copies in your Department, and your office will ditto it by saying yes, yes, the situation is such that a particular company cannot run and lay-off, retirement and even closure is necessary. So, they may close it or some workers may be laid off or there may be some retrenchment.

I would say, don't try to befool the people that you have a *bona fide* intention to check the lay-off, the retrenchment and the closure. Even in the month of August, your apex body decided that there should not be any unilateral lay-off. I have gathered it from your introductory speech and also from other reports. Have you taken any action against any employer? Have you taken any action to see that a factory which has been closed down because of mismanagement and various other nefarious tactics and manipulations of the management is re-opened? On the other hand, I would say, intentially the employers create conditions so that their factories become junk and you go to save those employers and restart a mill or a closed factory. This is what the employers wanted. You do what the employers want. You do not take any action against any employer by going into the details and the reasons for which the factory was closed. You do not take any action against them.

I know some factories were reopened not during this time but before that. But all those factories were closed not for giving higher bonus or higher wages but for the mal-administration and the defalcation of the money by the employers. How can I, therefore, rely on you that you have got a sincere desire to check the lay-off and the closure? You do not have it. I can assert with all the

facts that I possess that this Government is ultimately looking after the interests of big monopolists and employers and is not taking any steps to redress the hardships of the workers or to bring any improvement in our economic situation.

Then, despite the provision of lay-off compensation, the employers were laying off workers without paying compensation and the Labour Ministry was behaving like a silent spectator. All this sympathy was shown as a lipsympathy that you want to see that the workers are not put to harassment by the employers. You never take any action against the corrupt management. The claim of the hon. Minister is that he proposes to put some reasonable restriction on the employers' right to resort to closure, retrenchment and lay-off. But this Bill does not specify what restrictions are reasonable and what steps he is going to take in that direction.

There is a penal provision that has been made here, that is, a fine to the extent of Rs. 1000 and/or imprisonment for one month. That is not we want. If an employer, for any reason, for any action on his part, for his mismanagement or any such other action, closes the factory or there is retrenchment or lay-off, the punishment should be imprisonment.

There should not be any option of either fine or imprisonment. Which employer will not prefer retrenching or laying off thousands of workers and going to the court and paying some fine? In the Provident fund defalcation case we have seen that no court gives any punishment which amounts to imprisonment. In almost all cases, the courts only put some fine, and the employers ungradgingly pay it. So, the claim of the Ministry that they are imposing a reasonable restriction is nothing but a stunt. That is why I say that you are giving a licence to the employers, with your grace, to resort to lay-offs and retrenchment to the extent they desire.

Is it difficult to get prior approval from the Government with the machinery that exists now? I don't think that anybody has any illusion that if Birlas, Tatas or any of big houses approach the Department, they will refuse it. I have not seen a single instance where the Government or the Labour Department stood in the way of the employers taking recourse to retrenchment, lay-offs and closures. I have not had occasion to see such an instance and I would like to know from Mr. Raghunatha Reddy if he can cite a single example where this has happened.

The Bill is aplicable only to factories, mines and plantations and not to banks, LIC, Departmental undertakings and Indian Airlines and all other commercial and educational institutions. Where is the restriction on individual lock-outs as it happened in the Indian Airlines? You are so fond of quoting Marx and Lenin in this House as if you are having a 'study circle' of MPs sitting here. Where was your Marxism when Mr. Lal was riding rough-shod on the Indian Air lines employees and resorting to even individual lock-outs? How did you tolerate that? And now the same Government with the same policy is coming forward and saying that they will stop lay-offs, retrenchments and closures! This is all bagus I say.

You have put a restriction of 300. May I request the Hon. Minister at least to live with the present days? Even in the provision that is there in the Industrial Disputes Act, there is a limit of 50. Now, why are you making 300 as the limit? If you will kindly check up, you will find that there are many factories with a huge capital running with a total number of employees which hardly exceeds a hundred; and if these employers take recourse to the method of laying off and retrenchment there is no protection—even this limited protec-

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tion— of the workers and the employees. May I know why you have fixed this 300 as the limit up to which your Act will be applicable? You must reconsider the so-called reasonable restrictions that are there or which you have put now. Why not restrict your limit to 50 as there in the original Act? Most of the medium and the small scale sectors that are there and which have been closed down do not employ 300; they employ less than 300. In Howrah in West Bengal, I may say that in the small and medium engineering factories, thousands of employees have been retrenched in different factories. But even after the emplementation of this Act they have no protection as per the provision that has provided here. So, I don't find any meaning in restricting your Act only up to a limit of 300. In the case of companies which are closed there is a mention only of the hardship of the employers and nothing regarding hardship of the workers. The employers can very easily get out and you have no provisions here by which you can catch hold of them and force them to reopen the factories. You can inject some money or reopen the factories with Government money but the person who is responsible for the closure of the particular factory can merrily get away and nothing will happen to him; there is provision for any action against him.

You have mentioned here that 'badli' and temporary workers will not have benefit of this measure. How is this? You, Mr. Raghunatha Reddy, know the conditions in the jute mills in West Bengal and from here it was recommended that casual, temporary and badli workers should be given some benefit. But it was denied even after the recommendation and still the same situation is existing. After coming across this provision of the Bill, these people might have been happy that at least Mr. Raghunatha Reddy has come as their saviour. By having nothing to do with the badli workers and casual workers, thosands will suffer. In almost all the textile mills that are still running, there are badlis and temporary workers. They have been deprived of the benefits of even the limited provisions of your Act. You will be astonished to know that a worker who has been working for ten years in jute mill is still called a 'badli' because for six weeks he gets a job, for two days he is asked to sit down, and he is again re-employed. In this way, they have been working for over ten years and in some cases even for fifteen years. but they are still casual and they are still termed a badlis and they are not given any protection under this Act.

In this respect I may point out that, in West Bengal, some time back, a Bill was passed restricting the employers, or bringing a check on the employers, that they will not be permitted to close down their factories if they did not obtain the prior sanction of the Government three months in advance. To that Bill, which was sent by West Bengal, consent was not given here by the President Mr. Reddy has mentioned some figures in which he himself admits that, in West Bengal, the number of layoffs, closures, etc., is 2,21,209. It is number one in the list. There was a united movement against closures and lay-offs, as a result of which the Government, whatever its character may be, passed a legislation and sent it for the President's consent, but that was not given. I do not know why. The Minister may kindly clarify this.

Now, I will tell you that is happening in the automobile factories. In Hindustan Motors, they are manufacturing motor cars. In Premier Automobiles, also, they are manufacturing motor cars. In Hindustan Motors, during the last one year, there has been a rotational lay-off. The matter

was taken up by the West Bengal Government, and Mr. Siddartha Shankar Ray got this company concession to the tune of Rs. 4,000 by way of reducing the sales-tax. Here from the Centre, Mr. Pai gave them concession: in the case of cars which will be sold and used as taxis, the excise duty will be reduced by Rs. 2,000. So, concession to the extent of Rs. 4,000 to Rs 6,000 was given by Government subject to the condition that there would be no lay-off and no retrenchment. But what has happened? I have personal knowledge here; I was then the Secretary of that Union. I know no step was taken. I do not know what is the policy. The same thing happened in Premier Automobiles. Three days in a week, the workers will work and for the rest of the days they will be laid off. In these cases, no lay-off compensation is being given. Mr. Reddy may look into his own file and he will find the memorandum of the employees where they have requested the Government to see at least that the statutory rights and privileges that are there are implemented by the companies They should force the companies to implement them. will not anything, it will not at all But nothing has been done either by the Central Government or by the State Government They look into the hardships of employers like Birlas and of the management of Premier Automobiles, but not of the thousands of employees who have been laid off without compensation and which is still going on.

12.00 hrs.

In the case of Indian Tobacoo, I know the matter has been referred to again and again not by us, but by your allies, AITUC and nothing has been done 1100 workers have been retrenched. They have no protection under this Government. Such is the case in respect of many factories. I do not want to go into the details, but I will say: "Do not insist on this Badli and the casual workers that you have put under the brackets in your clause;" take it out "Do not insist on the restriction of three hundred." This Bill will not do anything, it will not at all meet the situation. My humble request and appeal to the Government is that if you are determined, if you are sincere, bring a Bill totally banning the lay-off, lock-outs and closures. Besides, if any employer contravenes any provision of that Act, he may be put in the prison. You can put in jail the trade union leaders and workers under MISA. May I know, how many employers have been put in jail under MISA because by their own actions, misdeeds they close down the factories and laid off the workers and do not pay their dues even?

In the end, I would again repeat that this Bill is nothing but a 'licence given to the employers, only with the provision that the employers have to go and approach Shri Reddy's department for getting the approval. If the employer does not get the permission within two months, it will be deemed that the Government has given the permission You know, what is the situation prevailing in the labour departments within the Centre and States They are not at all afraid of this, otherwise Naval Tata in your apex body would not have indirectly given his consent to this sort of Bill. I would once again appeal to Government consider my suggestion and bring a Bill banning these lay-offs lock-outs and closures.

MR SPEAKER: We will conclude the general debate on this Bill at 2.00 O'clock, when I shall call the Minister to reply.

श्री राम सिंह भाई (इन्दौर) : श्रीमान इस बिल को मैं बहुत ध्यान से पढ़ा और पढ़ने के बाद मैं इस नतीजे पर पहुंचा हू कि खोदा पहाड और निकली चुहिया । बहुत अर्से से रेडियो पर सुनते थ, पत्रों में पढ़ते थे कि ऐसा कानून बनाया जा रहा है जिस को ले कर ताला बन्दी, छटनी आदि के ऊपर बंदिश लगायी जायगी । सभाओं में कितनी दफा हमारे प्रधान मंत्री जी ने कहा है और बड़ी चिन्तित हुई है कि कि इन बातों को जल्दी

[श्री राम सिंह भाई]

बंद किया जाना चाहिए क्यो कि आज जो हमारा अभियान है वह उत्पादन बढाना है और अधिक से अधिक लोगो को काम देने का है। लेकिन ले आफ, लाक आउट और रिट्रेंचमेंट या तीनो ही ऐसे हैं कि जिस से उत्पादन को नुकसान होता है और रोजगार को भी नुकसान होता है। माननीय मंत्री जी ने इस विषय में शायद अध्ययन नही किया है और उन के सामने जो फिगर्स अधिकारियो ने दी हैं उन्ही के आधार पर यह बिल यहा रखा है। आप ने कानून बनाये है, पहले कानून बना कर जो रखा है उन्हे क्यो भूल जाते हैं। यह इंडस्ट्रियल डिसप्यूट एक्ट 1947 का है। यह सारा ही एक्ट ऐसा है जिस को फिर से रिवाइज किया जाना चाहिये, और आप ही बारबार कह चुके है कि इंडस्ट्रियल रिलेशन्स ऐक्ट हम तैयार कर रहे है, सब जगह उस को भेजा गया है। लेकिन पता ही नही चला कि वह कहा गया। शायद गर्भ में ही गायब हो गया। आप यह बिल लाये है ले आफ लाक आउट और रिट्रेंचमेंट को रोकने के लिये। लेकिन यह रुकेगा कैसे ? इस मे आप ने एक बात रखी है कि जो जो एम्प्लायर ले आफ, लाक आउट, रिट्रेंचमेंट करना चाहे उन्हें शासन को तीन महीने पहले सूचना देनी होगी। मैं कहता हू कि सूचना से काम चलने वाला नही है। और अगर सूचना नही दी तो आप फाइन करेंगे। जेल की सजा तो उन को होनी नही है। उन्होने तो यह व्यवस्था तक कर रखी है कि हथकडी मैनेजर रख रखे है और हथकडी एग्जीक्यूटिव डायरेक्टर रख रखे हैं। मालिक जेल जाने वाला नही है, बल्कि हथकडी मैनेजर को भेज देंगे और उस के घर पर बारबार तनख्वाह पहुचती रहेगी।

इंडस्ट्रियल डिसप्यूट एक्ट में आप ने 1953 में संशोधन किया कि ले आफ का कानून वहा लागू होगा जहा 50 या उस से अधिक श्रमिक काम करते होगें। लेकिन अब जो आप अमेंडमेंट लाये हैं उस में आप ने 300 की संख्या क्यों कर दी ? आप ने जो भूल रखा है उस से कितनी गुना संख्या बढा दी है आज टोटल श्रमिक जो काम करते हैं उन में से 60 परसेंट अब इस कानून के अंदर से निकल जायेंगे। यह क्या है ? हमारी आत्मा को काफी दुख होता है क्योकि हम मजदूरो मे काम करते हैं और जो घटनायें घटती हैं उन के बारे में मंत्री जी को लिख भेजता हू, पर उस का कोई जवाब नही मिलता है। और वही इस एक्ट का होगा कि 3 महीने के अन्दर सरकार का जवाब नही आया तो यह माना जायगा कि जो एम्प्लायर ने लिख भेजा है वह स्वीकृत है। सरकार की तो आदत पड गई है जवाब न देने की, आप का ही हमे जवाब नही मिलता है। और एक कारखानेदार ने चाहा कि लाक आउट करना है, रिट्रेंचमेंट करना है और सरकार ने उस को जवाब नही दिया तो यह माना जायगा कि एम्प्लायर की बात मान ली गई। इस पर आप को विचार करना होगा, क्यो कि आजकल जो इमरजेंसी है वह इन कारखानेदारो के लिये ही है, मजदूरो के लिए नही है। मै प्रैक्टिकल बात कह रहा हू क्योकि मै तो मिलो व मजदूरो के बीच मे रहता हू, उन के साथ खाना खाता हू, और वही काम करता हू। मैं मजदूरो का सेवक हू। बोनस बिल मे जो मजदूरो के और देश हित की बात थी उस को मैने बराबर सपोर्ट किया है, आप शायद उतना किसी ने आप को सपोर्ट नही किया। लेकिन यह भी मैं एक राष्ट्र हित की बात कर रहा हू, आप इस को देखे और विचार करे। आपने बोनस में 20 से 10 कर दिया, यानी 10 आदमी जहा काम करते होगे वहा वह लागू होगा आप हर जगह संख्या घटाते जा रहे है लेकिन बेकारों की फौज क्यों बढा रहे हैं। आप कारखाने बंद करने के लिए क्यो संख्या बढा रहे है, रिट्रेंचमेंट करने के लिए क्यों संख्या बढा रहे हैं। आपका कहना चाहिए जहां एक भी आदमी होगा, उसको अगर कम करना होगा

तो उसके लिए भी गवर्नमेंट से स्वीकृत लेनी पड़ेगी और गवर्नमेंट देखेगी कि राष्ट्रीय हितों को नुकसान तो नहीं पहुंच रहा है। इसलिए यह बड़े दुख की बात है।

दूसरी बात यह है कि यह जो सारी फिजा बनी है वह इमर्जेंसी को लेकर बनी है तो आपको यह कानून 26 जून, 1975 से लागू करना चाहिये। पीछे से ही देखें कि उन्होंने क्या किया है। उसकी जांच करनी चाहिए इमर्जेन्सी में जिस तरह प्रबंधकों ने गलत ढग से फायदा उठाया है आज मजदूरों के आसू पोंछने वाला कोई नहीं है, उनकी बात सुनने वाला नहीं हैं। तो आप इसपर विचार कीजिए कि कम से कम जो आपने ले-आफ का अमेंडमेंट सन 1953 मे किया उसको कायम रखिए। 50 से 300 की संख्या आप क्यों कर रहे हैं। दूसरी बात यह है कि इसमें आपने बदली वाले, के जुअल वर्कर को बिलकुल निकाल दिया है यह क्यों? उस कानून में आपने लिया है कि साल में जिसकी 240 दिन की हाजिरी होगी वह कन्टिनुअस सर्विस मानी जायेगी। खानों में 190 दिन की हाजिरी मानी जायेगी। महिलायें जो काम करती है उनकी 90 दिन की हाजिरी होगी। मिल कारखानों मे 195 दिन जो महिलायें काम करेगी उनको ले आफ का फायदा मिलेगा। यहां आपने एकदम से उन्हे घसीटकर निकाल दिया हैं। परमानेन्ट पोस्ट पर लगभग दस परसेंट बदली वाले वर्षों से काम कर रहे हैं। यह बदली वाले जो है, उनको बदली का नाम दिया है काम परमानेंट का करते है और उनको परमानेंट नही किया है उसका कारण यह है कि उनकी तरफे से कोई बोलने वाला नहीं है और आप इस तरह की धारायें रख रहे हैं जिनका लाभ परमानेट लोगों को ही मिलता है, बदली वालों को नही मिलता है और जो एम्प्लायर्ज है वह इसका लाभ उठाते हैं। इन सारी बातों पर विचार होना चाहिए।

बड़ी मजे की बात है कि रिट्रेंचमेंट का जो बडा इम्पार्टेंट सवाल है उसपर कई लेबर कान्फ्रेंस में विचार हुआ है। आधुनिक मशीने आ रही है तो वर्कलोड बढेगा इसमें कोई शक नही है। आपको मैं बता सकता हू आज मे 25 वर्ष पहले जहां 5 हजार आदमी काम करते थे वहां 4 हजार काम कर रहे है। आधुनिक मशीने होगी तो वर्किंग कंडीशन्स के आधार पर वर्कलोड होगा और उसके आधार पर वेतन भी होगा इसमें कोई सदेह नही है। चूंकि इन्डस्ट्रीज कांपिटीशन में उत्तर रही है, एक्सपोर्ट करना चाहते हैं, दूसरे देशो का सामना करना चाहते है तो पर व्यक्ति प्रोडक्शन भी उसी आधार पर हो। आधुनिक मशीने भी डालनी है लेकिन इस बात पर खयाल किया जाये कि रिट्रेंचमेंट का तरीका क्या हो। सारे नियम बनाते हुए आपने एक नियम यह रख दिया कि समझौते के अनुसार अगर रिट्रेंचमेट होता है तो नोटिस देने की जरूरत नही है। उसी वक्त श्रमिक फाटक के बाहर कर दिया जायेगा। मेरे मित्र इस मामले में मेरी मदद करेंगे आज तो यह हो गया है कि जो यूनियन सरकार और मिल मालिकों की कृपा से जबर्दस्त बनी होगी वही मान्यता-प्राप्त होगी और उन का यह काम हो गया है कि दूसरी यूनियनों और आर्गनाईजेशन्स के जो लोग है, जो खास खास काम करने वाले हैं उनका रिट्रेंचमेन्ट कैसे हो। उन्ही का नाम वे पहले रिट्रेंचमेंट के लिये देते हैं कि इनका रिट्रेंचमेंट हो। मैंने जीवन भर यही संगठन का काम किया है लेकिन ऐसे लेबर लीडर नही देखे जो इस जमाने में देख रहा हूं। वे फायदा उठाते है गवर्नमेंट से और काम करते है एम्प्लायर्ज का। आजकल सेन्ट्रल आर्गनाईजेशन के बहुत कम लेबर लीडर होंगे जो हवाईजहाज से न चलते हों। हमारे यहां इन्दोर में एक समझौता किया गया रिट्रेंचमेंट का, मैं ने मंत्री जी को लिखा, चीफ मिनिस्टर को लिखा, कोई बाकी नही है लेकिन कोई जवाब नही दे रहे हैं। क्या रिट्रेंचमेंट ऐसे होता है?

[श्री राम सिंह भाई]

प्रधान मंत्री जी बार बार कहती हैं और आप उनकी भाषा बोल रहे हैं लेकिन 22 अक्तूबर, 1975 को नेशनल अपेक्स बाडी के एक सदस्य, मान्यता-प्राप्त संगठन के प्रसीडेंट एम्प्लायर के साथ समझौता करते हैं कि 22 अक्तूबर से इस कारखाने के अंदर चार लूम्स चलग, चार साइडस चलगी । मैं उसमें सहयोग देने के लिए तैयार हूं अगर उसमे कोई बेकार नहीं होता है । जिस रोज 22 अक्तूबर को उसका अमल होने वाला था, मैं आपकी लेबर एडवाइजरी कमेटी की मीटिंग में दिल्ली में था । उन्होंने मौका देख लिया कि रामसिह नही है, 21 तारीख की रात को घर के अंदर से सोते हुए 15-20 श्रमिकों को मीसा के अन्तर्गत पकड़ते हैं । उनका कसूर यह है कि वे वहां पर काम करते हैं और मजदूरों को कोई दिक्कत होती है तो मनेजमेंट से जाकर कहते हैं ।

श्री इन्द्रजीत गुप्त (अलीपुर) : कौन सी मिल है ।

श्री राम सिंह भाई : नन्दलाल भंडारी, इन्दौर । वह एंटक के हैं, इन्टक के नहीं । तो उनको मीसा के अन्दर बन्द कर देते है और फिर 22 तारीख को सुबह 6 बजे 144 लगाते हैं । लाउडस्पीकर से ऐलान किया जाता है । मिल एरिया में पुलिस का इन्तजाम होता है । मशीनों के ऊपर, डिपार्टमेंट के भीतर पुलिस का इंतजाम होता है । चार सौ मजदूरों को उसी वक्त पुलिस के द्वारा फाटक के बाहर निकाल कर बाहर किया इतना ही नहीं, कुछ श्रमिकों ने जब यह कहा कि यह क्या हो रहा है, इंडस्ट्रियल रिलेशन्स ऐक्ट के अन्तर्गत, यदि कोई भी परिवर्तन करना होता है तो उसकी नोटिस लगाई जाती है--यह बात कानून में है । मजदूरों के काम में कोई परिवर्तन करना हो तो नोटिस लगाई जानी चाहिए । चार लूम्स चलाये जायेंगे इसका हमें पता भी नही है, किन्तु उन्हें भी, गिरफ्तार कर मीसा में बंद कर दिया जाता है । उसी रोज 22 तारीख को मुझे ट्रंक काल मिला । 23 तारीख को मैं इन्दौर पहुंचा । मैं भी सभी से बातचीत की । लेबर कमिश्नर से मिला, एस पी से मिला, कलक्टर से मिला लेकिन किसी के पास कोई जवाब नहीं । जिस रोज एग्रीमेंट होता है उसी रोज से जो एग्रीमेंट करने वाले यूनियन के पदाधिकारी थे वे फरार हो गये, उनका कोई पता नही चला । फिर यह कहा जाता है कि लाभ की पोस्ट पर किसको रखा जायेगा यूनियन वालों ने नाम दिया कि इनको रखा जायेगा । चार सौ श्रमिक फाटक बाहर किए गए तो उनमें क्या देखते है कि रिटायरमेंट की उम्र जो 58 साल है उसके लिए ढूढ ढूढ कर देखा जाता है और रिट्रेंचमेंट का कोई कम्पेन्सेशन नही दिया गया । यह सब क्या हो रहा है ? हमारी पार्टी की नीति के विपरीत, लेबर मिनिस्टर की मंशा के विपरीत, पार्टी के एक एक सदस्य की मंशा के विपरीत हो रहा है लेकिन जिनको आपने आस्मान में बिठा दिया है, अपेक्स बाडी में बिठाल रखा है वे वहा बैठते है मजदूरों के प्रतिनिधि बनकर और काम करते है टाटा बिड़ला का । शोषणकारों का पक्ष लेते है । 18 अक्तूबर को एपेक्स बाडी तय करती है कि सैवेन डेज वर्किंग होगा उन कारखानों में जो वरसों से तीन शिफ्ट काम कर रहे है, जिन में तीन शिफ्टों में वर्किंग हो रहा है, परमानेंट तौर से सात दिन काम करने के लिए जो श्रमिक रखे जाएगें उनकी नई रिक्रूटमेंट होगी, नए लोगों को काम मिलेगा----

डा० रानेन सेन (बारसात) : यह आई एन टी यू सी का निर्णय है ।

श्री राम सिंह भाई : पेपर में पढ़ा है तब बोल रहा हूं ।

श्री इन्द्रजीत गुप्त : मैजोरिटी की राय थी ।

श्री राम सिंह भाई : यहां भी तो मेजीरिटी से आप तय करते है । डाक्टर साहब मुझे समझाएं कि क्या यह एपेक्स बाडी का निर्णय नहीं है । मैं उनका बहुत सी बातों में समर्थन करता हूं मैं मंत्री महोदय के सामने फेक्टस रख रहा हूं और उनकी मदद कर रहा हूं ताकि वह जो बिल लाए है उस में चेंज करें। मैंने संशोधन भी दिया है—

अध्यक्ष महोदय : उस पर बाद मे जाएंगे ।

श्री राम सिंह भाई : 18 अक्तूबर को यह निर्णय लिया जाता है और छ: दिसम्बर को वे रात दिन मिल चलाते हैं, सेवेन डेज वर्क शुरु करते हैं लेकिन एक भी नया आदमी नही रखते है और एक शिफट के आदमी तीन तीन शिफटों में काम कर रहे है और उनको रोकड़ी पैसा दिया जाता है । मैंने लिख कर दिया है लेकिन कोई जवाब नही है । अक्तूबर मे लिखा था । जब इस तरह के फेक्टस आपके सामने है तो यह रिट्रेंचमेंट, यह ले आफ, यह लाक आऊट आदि को कैसे रोका जाएगा । आपको विचार करना होगा जब बार बार प्रधान मंत्री जो ने घोषणाऐं की है, बार बार वादे किए हैं और जिन को आप दोहराते रहे है उनका जो मंशा है वह पूरी हो । आपातकाल के नाम पर एम्प्लायर हर जो इस तरह के फायदे उठा रहे है । इसको रोका जाए । बिल में मैंने कुछ भी इस तरह की बातों के बारे में नही देखा है । ठीक है आपने तीन महीने का बात कही है । उस पर भी किस तरह से अमल होना है यह अनुभव बताएगा ।

इन शब्दों के साथ मैं इसका समर्थन करता हूं ।

DR. RANEN SEN (Barasat): Sir, I support this Bill though it is a belated one and it does not meet fully the situation. I say this because the hon. Minister has stated that the labour side in the National Apex Body had demanded some such legislation.

But, Sir, as far as I remember, the trade union representatives on the National Apex Body had demanded statutory measures banning lay-off, closure and retrenchment. Here, in this Bill, I do not find any such banning. That is why I say that this does not fully meet the requirements of the situation. But, still, something is better than nothing and, at least, a strong trade union movement will be there to see that some of the provisions in the legislation are implemented. Government has got to do something in this regard. What are the situations for the last two years and, particularly, for the last one year? The employers were twisting the necks not only of the working class but also forcing the Government to get more concessions all along—concessions in regard to excise duty, concessions in regard to export duty, concessions in regard to import duty and concessions in regard to prices. As they went on reducing the production, an artificial scarcity was created in the country and the prices thereby soared up and even now, the prices are soaring up at a very high level.

In the name of national production, Government are appeasing the employers all along the line, despite the brave words of the CPI(M). Therefore, this production for profit has created a havoc in the life of the working class. After the promulgation of the emergency, there was little difference in the situation in regard to the last two years, particularly the last one year, he himself has given an account of what has happened. What is the position today in regard to lay-off, clousure, retrenchment and all these things. He himself has admitted, and it is known to the Government how the employers take to fraudulent measures, cheat each other, cheat the shareholders, cheat the Government and then bring the whole concern into

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liquidation, close down or lay off or retrench workers as they like. The Minister knows this. The thing they have started is still continuing.

In Calcutta, the National Tobacco Company employs 2,400 workers. Out of this number, 1180 were served with dismissal notice—retrenched. So 50 per cent of the workers were retrenched with immediate effect. This is known to the Government. Then as to what the Kanpur employers are doing, Shri S. M. Banerjee will speak about it. There the Laxmirattan Cotton Mills and the Anherton West Mills have been closed for months together. The MPs from that area, Shri S. M. Banerjee and Shri Sarjoo Pandey, made representations to everybody including the Prime Minister. But nothing has happened. The whole story will be narrated by him. It is a sordid story how the employers defied the Government, flouted the decisions of the National Apex Body and of the State Government. Yet they were left scot-free.

Then the Jaipur Udyog, Kanpur Jute, Plywood Factory, all owned by Alok Jain have remained closed for days and months. Not only lay-off and closure, but retrenchment on a big scale goes on even today after 8 months of the promulgation of the Emergency. The story of the Kharda Jute Mills is known to the Minister. Ultimately the Commerce Ministry was forced to try to do something in regard to the Kharda Jute Mills. Because the employees of Anderson Wright the company which is managing the Kharda Jute Mills, gave evidence before the Commerce Ministry in regard to fraudulent practices resorted to by the employers, they are being charge-sheeted by that particular company which was doing business on behalf of the Kharda Jute Mills. It is a clear case of victimisation.

I have a whole list of names given to the government by the .IN.T.U.C., AITUC and Hind Mazdoor Sabha of those cases of lay-off, closure, retrenchment, etc. The biggest number is in the engineering industry and that too in West Bengal. Next comes Maharashtra, then U.P. and so on. Engineering, jute, textiles—every industry is involved. There is not a single industry which is not involved during the last two years, particularly last year and even after 26th June when emergency was promulgated.

Another feature is, the employers not only close down the factory but also refuse to pay the wages. It happened in Kanpur. It happened in Bengal Potteries. I have a letter written by the employees that since July 1975 till December 1975 they were not getting their wages. I do not know the position in January and February, 1976. This is done in some places. The government has been sitting silent and powerless, the officials discussing it among themselves. Nothing was done in this regard.

In the last meeting of the National Apex Body where the Prime Minister addressed the gathering, excepting one or two, most of the State Ministers wanted some strong measures to be taken against the recalcitrant employers. Though I support this Bill, I must say that sufficient measures have not been taken under this. There are many serious shortcomings. For example, in the meeting on 18th August, 1975, the National Apex Body decided that there shall not be any unilateral layoff in any industry or unit and that any proposal for lay-off should first be discussed at plant level. It was a unanimous decision and the employers also agreed to this. But nowhere has this decision been implemented. Therefore, the trade union side in the National Apex Body made a recommendation before the minister at that meeting that strong measures should be taken banning these lay-offs, closures, retrenchments, etc. It is not correct to say, as Shri Ramsingh Bhai said, that the apex body unanimously decided....

श्री राम सिंह भाई : युनैनिमसली नहीं कहा है ।

DR. RANEN SEN: The National Apex Body did not take any decision in regard to the running of factories and mills for 7 days a week. Mr Stephen who has present at that meeting will bear me out. Certain trade union organisations had taken that position but the AITUC was opposed to that. It was clearly recorded also. It has been the practice of the National Apex Body that whatever is not decided unanimously is not considered as a decision of the body. One must be fair to every side.

I was saying, there are very serious shortcomings in this Bill. To begin with, it shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint. This is a beautifully vague word. I definitely hold this opinion that this Bill should have retrospective effect at least from 26th of June, 1975, otherwise this Bill have no effect. There are some good provisions but those provisions will not matter much.

Secondly, it will be applicable to those industrial establishments which employ 300 workers. I do not understand what was the occasion for the Minister to resile from the particular provision 25A of Industrial Disputes Act It should have been kept at 50 because the Minister knows that very large number of units employing upto 50 workers have been closed down under various pretext. Therefore, there is no reason why it should not cover establishments which employ 50 workers.

You have taken badly or casual workers out of the purview of this Bill. In fact, Mr. Reddy knows that he himself has made certain recommendations in regard to badli workers in Jute but they were rejected by the employers. To exclude badli workers is really a very bad thing.

In this Bill, nowhere the trade unions have been given any importance. State Governments have been made supreme. They will decide whether a particular unit is seasonal or not. Trade unions have nothing to do here. The permission of refusal depends upon the sweet will of the Government. Nowhere trade unitons come in the picture. Even there is no consultation with the trade unions. It is taken for granted Nothing is taken for granted unless the trade unions are taken into account. If the State Governments agree, that is all right, if they do not agree, that is also all right but if they do not express their opinion within two months, then it is taken as agreed. I do not understand this logic. If the State Government is callous, if certain officials of the State Government are in league with the employers, they will simply sit over the application made by the unit and the employer will merrily take it as agreed. Therefore, this is another big lacuna in the Bill. I do not know whether the Minister will think over this or not but these things have very serious implications. I say that when there are penal measures for the employers, why not those penal measures for the State Governments or officials of the State Governments who sit callously on these applications for permission by the employers. Leaving everything on the State Governments is not good. The State Governments may scuttle the whole thing and Mr. Reddy knows that at least two or three States are like that

I do not want to name them. Lastly about the penal measures. In regard to penal measures, I always find that the Government is suffering from a soft corner for the employers; it is so in regard to the bills wherever there is a question of punishment. It says here, Imprisonment for a certain period of a fine which may extend to something. This is known to everybody. The Minister knows it very well. As far as I remember in the joint select committee on plantation labour. he had accepted our suggestion (*Interruptions*). Otherwise, paying Rs. 1,000 is nothing to the employer. In regard to punishment, if you simply say that

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it might extend up to one month, there are judges and magistrates—whose number is quite big—who will award TRC, i.e., till the rising of the court. It has been our experience in regard to plantation labour. These things have to be tightened. On many of the points we have given some amendments. I hope the Minister has gone through them. I do not know his reaction. If this bill is properly tightened then it will be of enormous help. Otherwise, the employer will utilize the presence of these loopholes and wringgle out of the situation; and the situation will not improve much. However, as I had said, there are certain provisions here, for which reason I support the bill.

SHRI C. M. STEPHEN (Muvattupuzha): I am really happly that we are discussiong this bill, which has been brought forward by the Government. At the meeting of the apex body to which the Labour Minister had reffered, the Prime Minister listened to an unanimous request made by every section of labour, for legislative steps to get the recommendations of the apex body implemented. And the recommendations of the apex body were not meant for banning lay-offs, retrenchment etc. The recommendations said that they should not be unilateral i.e., to say, there must be bilateral discussions; and if they fail, the matter will go up before the Government; and unless their sanction is obtained, it should not be done. There should not be any loopholes. That was the recommendation of the apex body. But this recommendation did not click as far as quite a number of industrial establishments are concerned; the labour section and—if my memory is correct—a number of Ministers from the different States made an appeal that legislative steps to taken. I presume that it is in accordance with the request made in the apex body, in the presence of the Prime Minister, that a bill of this type has been framed and brought before this House. This is a measure which comes in, in order to fill up many of the loopholes which were there in the former Act. Not that this is completely perfect; not that we have got everything which we, left to ourselves, might wish to have. But to say this is not to minimize the importance of the measure before us. This, if I may be permitted to say so, is a land mark in the history of the progress of labour through legislative process. We had Industrial Disputes Act before us earlier which said lay-off was permitted, retrenchment was permitted, subject to some conditions. But if anybody violated any of these, all the penalty that was provided for was "whoever contravenes any of the provisions of this Act or any rule made thereunder shall be punishable with fine, which may extend to Rs. 100". All these provisions under Chapter VA came under this general provision only. Now new provisions have been brought about, very momentous provisions if I may be permitted to say so, which say that no lay-off, retrenchment or closure shall be permitted, except with the prior approval of the Government. It is further provided that if it is violated, the workers should be presumed to be continuing in service and that they will be entitled to all the amenities and wages to which they were entitled, if they were in service. That is the real heart of the matter. We never had any such provision in the Industrial Disputes Act earlier. There we had only pious wishes. Section 5A contained some pious wishes, nothing more than that. If the provision about retrenchment was violated, if the provision about closure or lay-off was violated, we had absolutely no remedy. It was not presumed that he was continuing in service and he had no right to get wages as though he was in service. This is the major lacuna which we have now filled up.

SHRI RAGHUNATHA REDDY: It is like a declaration by law.

SHRI C. M. STEPHEN: What I am saying is that by legislative process a weapon has come in the armoury of the labour in its battle against *mala-fide* lay-off, retrenchment or closure,

It is good that penal provisions have been made. I do agree with Dr. Ranen Sen when he says that it is not harsh enough. The courts being what they are—we know what they are—they will lean, as they always have been doing, on the side of the haves, and not on the side of the have-nots. We know what it will ultimately result in. Therefore, Government could certainly have thought of bringing in penal clauses which combine imprisonment with fine. That has not been done. To that extent, I agree with the opposition. But I am emphasising that to the extent it has gone, it is a momentous departure from the old framework of the Industrial Disputes Act, specially section 25A.

This is a benefit which has come to the workers under the emergency. This is not a temporary measure; this has become part and parcel of the Industrial Disputes Act. The emergency may go, but this Chapter V will remain, unless Parliament repeals it by another enactment. This is a permanent feature, which has come in, and that is an advancement that has been made upon the earlier enactment.

Now, with respect to retrenchment and lay-off, the earlier provision had stated that you must have put in one year's continuous service. The present Act does not put in that condition at all. The present Act says that if you are in service, then the question of continuous service does not arise, as far as lay-off is concerned. That is a further advancement from the former Act.

The question of *badli* was mentioned. Certainly, it would have been better if the question of *badli* had been taken away from 5A; but it remains in 5A, with respect to lay-off and retrenchment. The question of retrenchment does not arise, so far as casual labour is concerned. The only question which can arise is with respect to lay-off. May be the *Badli* provision is being misused, but the question is whether a casual worker has got a claim for permanent employment. If there is no work, it is the casual labour who is told "you have no work". That is the basic question which we will have to deal with when we discuss Chapter VA, and not chapter VB.

Chapter VB takes out from the ambit of Chapter VA establishments which employ more than 300 workers and gives a different treatment to them. The administrative reason given by the Minister for this was not very convincing. Conceding the argument of the hon. Minister would mean that this country is replete with lay-offs, retrenchments and closures on such a colossal scale that the administrative machinery would not be able to grapple with it. I do not think that that is the case.

SHRI RAGHUNATHA REDDY: Your State may be very lucky, not so the others.

SHRI C. M. STEPHEN. I can understand that we have to go by stages. Therefore, when these rigorous measures are imposed, you deal with only a particular class of employers. It is presumed that factories employing 300 workers and above are owned and run by employers who have got a financial capacity and, therefore, a more rigorous stand can be taken against them. It may be that on that basis this classification has been made. But I certainly hope that that number would be brought down. It must come down. If the party permits me, I will certainly vote for amendments in favour of that. But let us concede that to the extent it has gone, it is a momentous departure.

By Clause (2) of the Bill it has been said that sections 25C to 25E shall not apply to industrial establishments to which Chapter VB applies.

Coming to the penal provisions, how exactly is the money to be collected? Section 33C of the principal Act has two sub-sections. The first sub-section says that where any money is due to

[Shri Raghunatha Reddy]

a workman from an employer under a settlement or an award or under the provisions of Chapter VA, the workman himself or any other person authorised by him in writing in this behalf can go to the collector or apply to the Government, and the Government can collect this money as under the Revenue Recovery Act and give it over to him. An employer keeps his factory closed defying the law. You have said that if I am retrenched or laid off except with the prior permission of Government, it would be presumed that I am continuing in service and the money must be paid to me. By what means would I collect that money? I can certainly go to a labour court for the money due to me under the Payment of Wages Act. Here, this is an extraordinary provision whereby the Government can initiate it under the Revenue Recovery Act and get the money. Why should you deny me the protection and the facilities of sub-section 3 of Section 36(C) to collect that money? Why should you also ask me to go to a labour court for the payment of wages? Should you not amend 36C as part of this Act and say. Chapter 5A and 5B—because money is due to me under Chapter 5B—are meant for that money. What is the method for me to collect that money? Again it is a pious wish.

I am to go to a labour court for this money. Is that what I should do or you give me the power to go to the Collector and ask for the initiation of proceedings against the other person. I have found this lacuna. I have not moved any amendments. If the Minister is satisfied that this is a legitimate claim that I am making, the Minister will consider making 33C applicable to claim under Chapter 5B also. You are protecting a class of persons who are coming under this. It is a very extraordinary power that you have taken. There are cases of closures. You have armed yourself to give a directive in cases where Mr. Banerjee and other trade unions are involved. We had an occasion to discuss it in the apex body meeting. We have named those establishments and even have instituted an enquiry committee to go into the whole thing and recommend measures which may be under MISA; there may be extraordinary measures that might have to be taken. You have taken the power to direct them to reopen their cases. I had occasions to go into the cases of some of these mills and I am personally satisfied that those mills satisfy the conditions where a directive can be given to reopen those mills which are now stipulated. This power you have taken. The Parliament of India has given you the powers that are required to meet the contingency of the situation. This is demonstrative of the anxiety of the Government that under the shadow of the emergency, the workers should not be allowed to suffer.

Yesterday, the Bonus Act came for discussion. But nobody can question the bona fide of the Government about the anxiety of the Government to protect the weaker-sections and the workers to the extent it is practical after seeing this Bill. Since you might have been committed by moving the Bonus Act, this will stand forgiven by the measures you have now brought forward and by arming yourself with this power. The rest is how to implement it; how your officer will implement it. If any officer fails to pass an order within three months' time or two months' time—the result, of course, you have mentioned—that sanction must be presumed to have been taken. But let it also be an unwritten law that if the sanction has been given, that officer stands to be dismissed from the service. That must also be the practice that must develop. I compliment the Government.

(Interruptions)

SHRI RAGHUNATHA REDDY: I do not attempt to commit any...

(Interruptions)

You do not expect me to do that.

(Interruptions)

SHRI C. M. STEPHEN: I compliment the Government for the legisla-

tion they have brought forward. The workers of this country will feel relieved that there are protective hands against malafide harassment. I hope that the powers that we are now handing over to you will be utilized for protecting the workers from the different factories and these powers will give them shelter.

With these words, I support this measure with a heart full of gratification, satisfaction and a feeling of fulfilment of a dream.

13.00 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

SHRI ERASMO DE SEQUEIRA (Marmagoa): Mr. Deputy-Speaker Sir, I would be very happy if I could share the hope of my good friend, Mr. Stephen. But, unfortunately, we must judge what is happening not only on this Bill but on the balance of Bills that have come before the House during this session.

As Mr. Indrajit Gupta said the other day, when facism begins to advance, the first victim is always the working class. I was happy to hear the hon. Minister, Mr. Raghunatha Reddy, to say, as he was introducing this Bill, that a law which is difficult to administer or which literally cannot be administered is not a good law at all. I am sure, he will have the statement to be repeated to him quite often in the days to come. In fact, I am going to repeat it to him with reference to this Bill itself.

May I begin with a provision here, Clause 3, 25P, in which the Government has provided that where any undertaking was closed before the commencement of the Act, the Government shall have a right, if it comes to the conclusion that it was done not on account of unavoidable circumstances, to order that employer to reopen that undertaking to protect the interests of the workers? I am not at all suggesting that any undertaking that is closed down for reasons other than unavoidable should be permitted to continue to be closed. What I am asking is, whether such an undertaking, at the stage of development at which India is today, can then be expected merely by a directive to reopen, to look after the interests of the workmen. Is this not an illusory provision? Will it not be far better to provide that in such cases, the Government will step in and would have the right to acquire the undertaking? I ask Mr Stephen: Would that not be a far more better protection to the workers? This is a clear gap between the objective you try to achieve and the objective which is achievable. To my mind, this objective will not be achieved

I would briefly give you an example of the Bill that was introduced today, if I take a bit of liberty and licence. The Iron Ore Mines and Manganese Ore Mines Labour Welfare Fund Bill and the Cess Bill were introduced this morning. I know, the welfare is going on far a long time. I fully support the objective of the Bill that it should be for the welfare of the workers who produce iron ore. Yet what are we finding in practice? In a place like Goa, for example, where a lot of iron is produced, and a lot of cess is collected, the fund is not being used in Goa but somewhere else. In fact in most cases, the funds are hardly being used at all. This Bill is not going to be passed during this session. In the Iron Ore Mines Labour Welfare Fund Bill they should make a provision by having a utilisation clause and making it mandatory that 90 per cent of the cess is to be utilised in the State or the Union Territory where it is collected. What is collected in Goa, 90 per cent of it, will be utilised in Goa and you can keep the balance of 10 per cent in the fund.

Coming to this Bill, the main provision of this Bill is that an undertaking with more than 300 employees should not retrench any workman without seeking the permission of the Government. But that provision its-

[Shri Erasmo De Sequeira]

self becomes illusory when it is provided that once the permission is sought from the Government, if the Government does not pronounce itself within three months, that permission shall be deemed to have been given. What will happen in practice we all know. The applications will be made to the Departments of Labour. They will lie on some Clerk's desk gathering dust and it will be nothing more than a formality. As Mr. Stephen was rightly saying, it is not that in this country there is so much retrenchment that 22 Departments of Labour with 565 officers throughout the country cannot deal positively with these applications. In fact, I would suggest to the hon. Minister that if he wants this provision to be made effective—I personally think that it should be made effective—that it should be a requirement that once an application for permission to retrench workmen has been made, the Government should pronounce itself positively, yes or no, within the time limit stipulated.

Sir, again, there is another thing here. It is provided on p.3 in sub-clause 5 that a workman shall not be deemed to be laid off if the employer offers any alternative employment; and then it says that this alternative employment being suitable or not shall be to the subjective satsisfaction of the employer. How can this be? Employment is a contract of service between the employer and the employee. How can you suddenly turn round and say that if you want, you can lay him off from somewhere and put him somewhere else? That is only one side of the contact. This is where the Government does not at all apply its mind to the Bill before it comes before the House. I am saying that some safeguard must be made for the workman in such cases and it must be provided that where the workmen disputes that the alternative employment that he has been given is not suitable, there must be some quick decision by some authority of the Government. This will avoide labour disputes, it will avoid acrimony and it will also avoid victimisation. This is one instance where the Government says that it is for the workers, but it is only for the vested interests that it has come forward with this to the House.

You talk of retrenchment and having protected the workmen against retrenchment. Ever since the Industrial Disputes Act was passed, this House passed a substantial amount of welfare legislation for the workmen of this country, mostly unapplied and un-implemented. For example, there was the Gratuity and Provident Fund Act. We all know that there is a minimum period of service to qualify either for provident fund in full or for gratuity. I cannot understand why, when the Government was coming forward to this House with a provision to make retrenchment difficult, it should not have given some thought to this matter and come forward to this House with a measure which stated that when a workman is retrenched, the initial qualifying requirement for the purpose either of gratuity or of provident fund should not apply. I would suggest to the Minister that he should consider it even now. I can understand a minimum qualification if the workman had left of his own accord but I cannot understand it at all where he has had to move because of the inability to continue him on the part of the employers.

Having said this much, I deem it my duty to add again that this Bill, inadequate as it is, will not be to the advantage of the workers

SHRI CHAPALENDU BHATTACHARYYIA: Mr. Deputy Speaker, Sir, I rise to support this Bill. So far as my region is concerned, had this been introduced about five years earlier, it would have protected 11000 jobs 5000 jobs in the coal mines and 6,000 jobs in the factories. In any case, better late than ever. This is a big step, but will have meaning only for large undertakings.

Without going over the ground which my colleagues have already covered, I would like to point out that this will take care, certainly and effectively of retrenchments, slosures and lay-offs, but it does not cover the cases of reduction of strength in any establishment through wastage of labour, by persons dying and retiring and so on. This is one of the loppholes through which the employers would be reducing the strength of their establishments all the time. I have certain examples, not of course with regard to wastage—Sometimes that can be used as a weapon for reduction in the strength of the establishment; sometimes it can be used, if there is a bi-partite agreement or tripartite agreement to ease out a situation of confrontation. But I have certain cases which would show what is happening not only in highly automated industries but also in the other end of the spectrum, namely, in labour-intensive industries. In 1952, for instance, the Mongyr Cigarette Factory owned by Indian Tabacco was employing 3,300 workers and was producing 186 million cigarettes per month. In 1974, that factory employed 2,100 workers in three shifts and touched a production of 640 million cigarettes per month. So, with one-third of the labour strength reduced, the production went up three fold. In this higly automated industry, the workers certainly have got bocsted wage, bonus and so on. I was not given an opportunity to express my point of view on the Payment of Bonus Act. We got something in Monghyr during 20 years of struggle, and that Act may come in the way of the workers continuing to enjoy their bonus. But since that issue is a closed chapter, I now come to the other end of the spectrum.

Only four months ago, I sent a long telegram to the Minister for Energy and the Minister for Labour. 385 of the workers, who were working under contractors for ten years in (Central Coalfields Ltd.) Giridih Collieries—nearly all of them were women; most of them were Adivasis and Harijans—and who were doing soft coke manufacture were later on brought under departmental control. Thus they worked there for four months, and then they were summarily squeezed out. We have yet to find a solution for their difficulties. We do not expect anything of the private sector undertakings; we know them; we have been fighting them; the public sector undertakings came because the private sector failed. But if the public sector undertakings also take up and follow the ethos of the private sector, then the outlook for holding the level of employment—I say 'holding' not expanding—will be doomed to that extent.

Like Charles' head, although I do not like it, the issue of mica crops up again and again. 60 per cent of the workers in the factory, in mica belt, stretching from Giridih to Kodarma, is now out of employment. The State Government made an enquiry and are satisfied that 60 per cent is quite a reasonable correct figure. It may even be more. Two lakhs of workers, home-splitters, are getting a wage level—I do not know what is the National minimum wage level— ranging between Rs. 1.55 and Rs. 3.50 per week. Can things be grimmer? With the present export price of mica, the home-splitters cannot earn more. There is a sort of iron law of wages. they cannot get more. The Labour Ministry are aware of this problem, both at the State level and at the Central level. I do not know of a stronger case for subsidisation of the wages through cess or still better through export levy because the Finance Ministry has been squeezing mica industry Rs. 4 crores annually as export levy all these years. When I raised it with the Finance Minister, they said that the Commerce Ministry was concerned with it and they had not done anything, Finance Ministry was only a collecting department. I raised it with the Commerce Ministry, but nothing has been done. They are content with merely canalising the item. The canalization of the item without the commitment of the officers concerned, without any social purpose at the spot has brought about melan-

[Shri Chapalendu Bhattacharyyia]

choly denouncement in the economy of the region.

So far as these clauses are concerned, I welcome them, but these will cover mostly the large establishments and the large establishments will always sub-divide themselves into smaller ones; they did it before and they will start doing now. I do not think that this Bill would be able to take care of that.

The other day, we passed the Bill for equal wages for man and women workers. In the present circumstances, with the present conciliation machinery and with the present strength of the trade unions *vis-a-vis* employers, we will find many women workers out of job and that precisely has been happening in the coal belt. They are being slowly squeezed out and I am afraid, in spite of this Act, that will get momentum. I will request the hon. Labour Minister to come to our rescue in that aspect. To the extent, this Bill provides strong curbs on the big monopoly houses, to that extent, the Bill is most welcome. It would be a red letter day and it would be another feather in his cap.

SHRI S. M. BANERJEE (Kanpur). Mr. Deputy-Speaker, Sir, let me say that I welcome this Bill as a compromise. We really wanted and we have been demanding even an ordinance when the Parliament was not in session to ban retrenchments, closures and lay-offs. I am happy that the hon. Deputy Minister of Commerce, Shri Vishwanath Pratap Singh is here, who has really done much along with the Labour Minister to help the textile workers of Kanpur and other places. What is happening in Kanpur today? There are two textile mills, Lakshmi Rattan Cotton Mills and Atherton West Mill in Kanpur; one has been closed for the last one year, while the other for the last ten months. There were 19,000 permanent employees and about 1,500 who are called substitutes. They have consumed their own amount in the provident fund and because the employers have not deposited their share of provident fund, they are not able to get a single coin from the provident fund. They are starving; they are selling ground-nuts. And practically, I will say, short of begging, they are doing everything. They have started borrowing money. They have not been thrown out of their houses, thanks..

SHRI DINEN BHATTACHARYYA: Some have committed suicide.

SHRI S. M. BANERJEE: As my friend said, some have committed suicide also But, Sir, thanks to Shri Bahuguna who issued instructions that no body should be thrown out of their houses, they have not been thrown out of their houses. And I hope Shri Narain Dutt Tiwari also will follow this.

Now, I am told that after this was discussed at the Apex Body meeting —thanks to the Labour Minister who permitted me to be there and the AITUC who also kindly permitted me to be there, I was given a chance under the chairmanship of Shri Ramanujam to discuss this problem and place before them, the Apex Body and the country, the appalling condition and the pitiable condition of the textile workers of Kanpur. I was happy that the employers' representatives and the workers' representatives and the National Apex Body unanimously took out a resolution and brought a resolution and the resolution was that in case the two mills did not start functioning within a week, the Apex Body would recommend to the government that they should be taken over by the National Textile Corporation. And in that meeting of the Textile Committee which is also a national body where the ex-Chief Minister, Shri Bahuguna was also present, Shri Bahuguna said that the State could not possibly run these two mills. He also recommended that they should be taken over by the National Textile Corporation. To day I am told that no final decision has yet been taken in this regard and that clever person, Shri

Shri Ram Ratan Gupta in moving between Delhi and Kanpur and Kanpur and Delhi like a shuttle-cock and knocking at everybody's door and still he has been trying to influence the Minister that this mill again should be handed over to him. I am making a statement which is borne out by fact that if this gentleman, Shri Ram Ratan Gupta is given again Rs. 65 lakhs, he is really shifting to Nepal. He has all his allies in Nepal and he will start his business there. This has not been told by me but this is said even by Shri Narsingh Narain Pandey also who really knew the whole thing.

So, Sir, I want only one assurance. The workers are prepared to strave for another month. But let an assurance be given either by the Labour Minister or the Commerce Minister that these two mills, the Laxmi Ratan Cotton Mills and the Atherton (West) Mills will not be given again to the same employers who are starving the workers for the last 12 months. When the Atherton (West) Mills was taken over by the government, at that time, there was no legislation. So, it was again given to the same employers after making it a profitable concern. I do not want that to be repeated. I want some definite assurance must be given and I am sure the Commerce Minister will give me an assurance that these mills will not be handed to the same employers.

Then comes the Jute Udyog, Kanpur. This is owned by Shri Alok Kumar Jain. Shri Alok Kumar Jain has not only this concern but a cement factory at Sawai Madhopur employing nearly 6000 workers which is closed. They have not been given salaries for the last 6 or 4 months..

SHRI M. C. DAGA (Pali): 6 months.

SHRI S. M. BANERJEE: 6-1|2 months. Not only that, the plywood factory in Calcutta—its workers also have not received their salaries for the last six months. Kanpur Jute Udyog another unit employing 1500 employees—those employees also have not received their salaries for the last 4 months and what has the Government done? I would request the Industries Minister that if Mr Alok Kumar Jain can run it, let him run it. But if he is unable to run it, this should be taken over

Now again the question will arise: whether the Government has got so much of resources, so much of money to take them over. If this is the attitude of the government, what is going to be the fate of thousands of workers? Let him understand today. I have been waiting for this opportunity and patiently waited for this Bill to come to welcome it and give it a full-throated support. But, if no assurance is given, what is going to happen? Then let us talk of non-payment of wages. As I have already said in this House, nearly 9000 workers have not received their wages, the four fortnightly wages. Who is the employer? The great Jaipuria Every year he is given new licences Whether it is for synthetics or this thing or that thing and whether it is for Pondicherry or any other *cherry*, he is given new licences and 9000 workers of the Swadeshi Cotton Mills are languishing because they have not been given the four fortnightly wages

J. K Rayons, because of our pressure and the pressure of the National Apex Body started functioning. But about 150 to 500 workers have not been taken on duty, the reason given is that they are temporary workers. In the name of substitute and 'badli', thousands of workers have been retrenched and this lay-off continues unabated and unchecked.

This Bill is something on which the trade union can fight. It has very ably been put forward by Dr. Ranen Sen to reduce the number from 300 to 50 workers. There are many

[Shri S. M. Banerjee]

small industries manufacturing batteries, plywood and many other small things which are employing not more than 50 workers. Let it be fifty at least. It has been supported by my hon. friend, Shri Stephen. He even said that he may kindly be permitted to vote for amendment. I hope he comes at the time of voting

An important point has been raised by Shri Stephen in regard to the Amendment of 33(c) of the original Act. This should be supported because unless this amendment is accepted, the workers will be involved in enormous litigation, unending litigation to get their wages. The condition in the courts as well as the condition of the workers and the way the lawyers enjoy at their cost is well known These workers will not be able to approach the court to that extent, with the result that they will not get their wages till they die That clause should be amended I hope the hon Minister who is not seen here must have gone to the proper quarters for consultation If he has gone, I am happy If he has not gone let him go there and consult and get concurrence to do it

There are small factories and small engineering units where people are kept as temporary workers for years together Every year on the 31st of March, they are technically retrenched and technically re-employed w e f 1st April. The worker does not know this. He knows that he is in regular service but suddenly when the question of leave, gratuity and retirement comes he knows this

In Defence Industry 500 workers lost their job and we fought and we saved the workers. Now there is nobody who is temporary, there is no body having completed six months is a temporary employee This is exactly what the Government should consider--to do away with or fight 'budly' system and|or substitute and such other systems Such systems were made by the Britishers to exploit the Indian labour. Now I would request the hon. Deputy Minister Shri Vishwanath Pratap Singh because Shri Chattopadhyaya is not here—I have full confidence in him—to help these bleeding and starving workers numbering 20,000 who are on the street and to see that these mills of Kanpur will not be given to the 'lalas', to the sharks. If this is done, I am prepared to wait for another month, but once I know this is going to be given to the 'lalas', I can tell you, emergency or no emergency, worker or no worker, I will stake my life to see that this does not go to 'lalas' who exploit the workers and bleed the workers white.

श्री मूल चन्द डागा (पाली) . 26 जून 1975 को आपात स्थिति लागू होने के बाद मजदूर लोग हडताल नही कर सकते, अपनी आवाज नही उठा सकते नारा नही लगा सकते और सरकार सोती रहे, आराम मे बैठी रहे, श्रम विभाग पर इसका कोई असर नही, पता नही उसको नीद आती है या नही आती है या वह जागने मे भी सोता रहता है अब इस सब का दोष किस पर है यह मैं आप से जानना चाहता हू। हजारो मजदूर निकाले जा चुके है। सवाई माधोपुर मे छ हजार मजदूर आज भी बेकार है। वे छ महीने मे बेकार है। आपने इतने आर्डिनेंस निकाले। क्या आप इसके बारे मे आर्डिनेंस नही निकाल सकते थे ताकि उनकी छटनी रुक सकती। इस आर्डिनेन्स को न निकालने का कारण क्या था? जब सरकार जानती थी कि हजारो मजदूर निकाले जा रहे है तो इसके बारे मे भी आर्डिनेन्स क्यो नही निकाला गया, जब कि सरकार आपातकाल मे और बहुत से आर्डिनेन्स निकाल रही थी तो इस बारे में भी एक आर्डिनेन्स निकालकर मजदूरो को निकालने से रोका जा सकता था। आज भी पता नही कि इस कानून के अन्तर्गत यह कब गजट में आया होगा?

दूसरी बात यह कही गई है कि जहा 50 मजदूर काम करते हैं वही पर यह लागू होगा। अभी थोड़े दिन पहले आपने बोनस एक्ट पास किया और उसमें यह किया गया कि जहां 10 मजदूर काम करते है वहा बोनस एक्ट लागू होगा। यह कौनसा बडा प्रोग्रसिव स्टैप मिनिस्टर साहब ने लिया है। छोटे-छोटे उद्योगो मे कई लोग हटा दिये गये हैं। आज मुनीम और गुमाश्तो का सवाल नही है।

कई बार कहा जा चुका है कि इडस्ट्रीयल डिस्प्यूट एक्ट बहुत पुराना पड चुका है इसमे रद्दोबदल की जरूरत है। जो ट्रिब्यूनल बनाये जाते है वह सालो तक जजमैंट नही देते। गवर्नमेंट लेबर के डिस्प्यूट को रैफर नही करती और बडी बडी बात भी थी वह तो इसमें नही हुई हैं। इस बिल का पेश किया गया है इसका स्वागत तो किया जा सकता हे लेकिन इसके क्लाज 4 में कहा गया है—

The permission applied for shall be deemed to have been granted on the expiration of the said period of two months

जब आदमी बेकार है तो टाइम लिमिट को 60 दिन रखने का परपज क्या है यह 30 दिन क्यो न हो ?

Provided that no such notice shall be necessary if retrenchment is under an agreement which specifies a date for termination of service.

एक एम्पलयार और एम्पलाई मे जो एग्रीमैंट हो जाता है आजकल की यूनियने कई गलत काम करती हैं, तो आपने कहा कि वह बाइडिंग होगा। क्या गवर्नमैंट दोनो पार्टियो को सुनेगी ? आपने ने कहा कि नहीं जो एग्रीमैंट हो गया है उसके आधार पर उसको निकाल दिया जायेगा।

लेबर का एक सवाल है। अगर आप रिट्रैंचमैंट को जस्टीफाई करते है या लाक-आउट को जस्टीफाई करते हैं तो उसके लिये कौन निर्णय लेगा ? क्या सिर्फ लेबर आफिसर निर्णय लेंगे या लेबर को अपना रिप्रैजैंटेशन करने का हक होगा ? यह इसमें कही नही है कि लेबरर्स को या यूनियन्स को रिप्रैजैंटेशन का हक होगा या वह कह सकेंगे कि रिट्रैंचमैंट और तालाबन्दी गलत हुए हैं। इसमे लिखा है—

'Where an application for permission has been made under sub-section (1) or sub-section (2) and the authority to whom the application or the refusal to grant the permission to the employer within a period of two months from the date on which the application is made "

Here the officer will take a decision.

तो यह जो तीन प्रावीजन्स आपने इस बिल मे रखे है कि एक तो लेबरर्स को नही सुनेंगे एग्रीमैंट के आधार पर उनको निकाल देंगे 300 वर्कर्स पर लागू करेंगे और 26 जून 1975 से लागू नही करेंगे यह तीनो गलत काम है। मैं इनके खिलाफ अपनी राय देता हू।

SHRI K MAYATHEVAR (Dindigul) Mr Deputy-Speaker, Sir, I strongly support the Bill I must thank the Government of India and the hon Prime Minister for imposition of the President's Rule in Tamil Nadu In other words, I must say that the labour class and the working class in Tamil Nadu are now given full and complete independence The labour class and working class in Tamil Nadu are given direct protection by the Central Government I therefore plead that the Labour Minister and Government of India should do more good to these classes of people who suffered much at the hands of the Tamil Nadu Government by not getting benefits from them

The provisions of this Bill should be implemented strictly so that any

[Shri K. Mayathevar]

industry or any factory or establishment does not declare lay-off, retrenchment or closure without the prior sanction of the Government. This should be adhered to strictly both by semi-government undertakings as well as by the authorities of the State Government. This is a very good protection extended to the working class and the labour-class. That is why we welcome this Bill.

There is another provision in the Bill which says that this is applicable only to the establishment, factory or company in which 300 or more than 300 workers are employed. I would request the Minister in charge of this Bill, the Labour Minister, to make this applicable to every establishment. This number should further be reduced. For instance, this bill should be made applicable even to the factory, establishment and companies where 25 workers are working. Then only it can bring the fruits to the working class throughout the country.

I would now like to make certain suggestions. There are too many unions in the same industry or in the same factory. And there are too many leaders and too many political parties which interfere with them. We should find out certain feasibility if not a possibility, by morally or legally forcing the Government to see that a healthy atmosphere is created between the employers and the working class. They are not independent but they are inter-dependent—capital without labour is useless and labour without capital is an absolute waste. These are two eyes of the human body.

Therefore, there should not be any discrimination. We should produce more and reduce the price.

SHRI S. M. BANERJEE: Government should be like the nose in between.

SHRI K. MAYATHEVAR: Yes, the nose is like the father, a safeguard.

The hon. Minister is a lawyer. I know him for a long time. He comes from a neighbouring State. He is well versed in labour laws and the Industrial Disputes Act as a practical lawyer and as a Minister. Therefore, I suggest to him that he should find ways, means and devices to introduce a law whereby there should be only one union in one industry; if not, there should be only one union of one political party in one industrial establishment of factory. If this is permissible or possible by law, he should find ways and means of doing it.

Then these labourers who are working in private companies are not extended protection under articles 310 and 311 of the Constitution. Government employees are protected by statute, but these workers and employees in private companies are absolutely unprotected by the Indian Constitution and statute. They have a remedy under the Industrial Disputes Act but not under the Constitution.

Secondly, there are temporary government employees who are unprotected. For instance, I have received memoranda from various trade union leaders in Tamil Nadu saying that although the ED employees working in the P & T Department, 3 lakhs of them, have been so working for five years and ten years, they are absolutely helpless without any protection under the Indian Constitution or the Industrial Disputes Act. Therefore, this law should be made applicable to these temporary employees working in government departments not only for six months or one year but for five years and ten years.

I welcome the Bill and support its provisions. I would request Government to do more for the Tamil Nadu working class who have been suffering for 7 years under an autocratic government. This is well known to the hon. Minister who visited Tamil Nadu. I had welcome him in Madras last Sunday.

I once again support the Bill.

MR. DEPUTY-SPEAKER: Does the word 'Maya' in your language have the same meaning as it has in other parts of India?

SHRI K MAYATHEVAR. Different meaning

MR DEPUTY-SPEAKER. The Minister.

DR RANEN SEN Before the Minister replies, I want to know something from Shri Viswanath Pratap Singh who is here

MR DEPUTY-SPEAKER No, no, it is not right

DR RANEN SEN He is here at our request in order to participate in the discussion Why are you becoming so rigid? The Minister was to reply at 2 O'clock You should not be unnecessarily rigid

MR DEPUTY-SPEAKER It is not a question of time but of order He is not the Minister of Labour

DR RANEN SEN You were not present in the forenoon We had requested the Labour Minister to bring the Commerce Minister to answer a point in regard to jute and textile mills

MR DEPUTY-SPEAKER: The Labour Minister may answer your point, not other Ministers

DR RANEN SEN Can we put that question then? There is a report that six more jute mills are going to be closed and that the Kharda Jute Mill is going to be taken over by Government. Are these two facts correct? If so, when are the Government going to take over the six jute mills?

SHRI S. M. BANERJEE: About the Kanpur mills question also he should reply.

MR DEPUTY-SPEAKER: It is up to him.

SHRI RAGHUNATHA REDDY I am extremely grateful indeed to the hon members for the very useful discussion we have had on the various provisions of this Bill and the general welcome it has received from almost all the speakers who had participated in this debate

At the very outset, I am free to state that I quite understand the anxiety of the hon members with regard to the various other matters that are connected with this Bill During the course of my reply, I will try my best to satisfy members with regard to some of the matters they have raised As Shri Stephen put it, though this piece of legislation may not appear to be a very lengthy or voluminous one, this small piece of legislation constitutes a landmark in the history of the law relating to industrial relations or labour in India

Though the Industrial Disputes Act has been on the statute book for a number of years, there was no proper procedure to regulate layoff, retrenchment and closure For the first time, an employer will have to take prior permission of the appropriate government before he takes recourse to layoff retrenchment or closure Anxiety had been expressed with regard to punishment, coverage and other connected matters To appreciate the implications of the various provisions of this Bill, hon members should appreciate that in case an employer does not give notice about the proposed layoff, retrenchment or closure, it would be deemed as if under the law no layoff, retrenchment or closure had taken place and the employee in such a situation is entitled to all the benefits, as if he had been in employment continuously If this is not a ban on layoff retrenchment of closure, what else can be a ban? If an employer without the proper permission of the appropriate government takes

[Shri Raghunatha Reddy]

a unilateral action of layoff, retrenchment or closure without going through the prescribed procedure, in such a case, the law declares that there is no layoff, retrenchment or closure in the eye of law and the employee is entitled to all the benefits by a legal fiction as if he had been in continuous employment and is entitled to all the benefits. What is the meaning of a ban? The employer should not resort to layoff, retrenchment or closure. In other words, an employee should not suffer on account of any action taken by the employer by way of layoff, retrenchment or closure and he must be entitled to all the benefits. If a person is kept at his house and is still paid his full salary, you cannot say that the employer should not do it. The major departure made by this Bill is that if an employer does not abide by its provisions, an employee is entitled to all the benefits as if he had been continuously in employment. This is the major benefit that accrues under this legislation.

The punishments provided under this Bill are more severe than the existing ones under the Industrial Disputes Act. It can be argued that the punishments should have been made still more severe, but that is a matter of opinion. What I am submitting is, the punishments will have to be appreciated in the context of the benefits that would accrue to an employee. As employee is not interested whether an employer is sent to jail or not. He is more interested in getting his wages and other remuneration. That is his main interest. I have no doubt that trade union leaders also would be interested in seeing that the employees continue to get their wages rather than seeing that the employers go to jail. Some employers deserve to go to jail no doubt and for that purpose, provisions are made in this Bill. This is the crux of this entire legislation which should be properly appreciated. I hope I have made myself clear with regard to these provisions.

With regard to lay-off, a person will have to give notice. The hon. Members have raised the question. "Why did you say that within a particular time if no opinion is expressed to the party concerned, it is deemed that the concerned authority is agreed to lay-off or retrechment." This provision we have made only for this reason that these are such matters that they cannot be kept pending and there must be speedy decision and anybody who sleeps over this issue must take responsibility for sleeping and other types of action—administrative and others—will follow. Therefore, any authority who is entrusted with this power to dispose of these matters will not be in a position to sleep over and as soon as the application comes, he must be in a position to take necessary action as contemplated by law. Otherwise, like so many other enactments while pious wishes are expressed that files can be disposed of within a particular period, unless consequences are prescribed within the framework of the legislation itself, mere time-limits do not matter and in such cases law will become directory and not mandatory.

Another question that has been raised is this that once time limit is prescribed, Government would be inclined to agree with the employer. This is one of the famous arguments of Mr. Dinen Bhattacharyya. Though I am not interested in quoting Karl Marx, there are good quotations from Karl Marx to meet his argument. As I assured him today, I do not want to put him to discomfort by quoting Karl Marx again in answer to his arguments.

With regard to closures, there are two propositions. If closures have already taken place, there is nothing like

prospective notice about a closure. Therefore, what the Government has proposed in this legislation is this. With respect to closures, a notice will have to be given under the Industrial Disputes Act—under this Chapter it is three months notice. And with regard to closures that have already taken place, the Government is taking power to give notice to the concerned employer in appropriate cases where Government consider it necessary to give notice to find out the reason why it has been closed and also to see whether the Government can do anything about it and also give directions if the Government is satisfied that the closure should not have taken place. This is the limited power that the Government is taking. And about the rest of the matter regarding closures which contains in IDR Act and about sick mills of National Textile Corporation, the Ministries of Industrial Development and Commerce respectively would certainly deal with this. With great respect and humility, I must again say, though the hon. Members may not be satisfied with some of the provisions—they would like these provisions to be stricter—this is a historic event as far as the industrial relations law in the country is concerned because this is for the first time that this type of legislation is going to be on the statute book.

As Mr. Stephen has said, this is not a temporary measure; this is going to be a permanent part of the Indian Statute Law and this is the benefit which the Indian working class would get. If a person gives wrong order, then the entire trade union movement is there to see that this man is exposed and tell the Government that the person has given wrong order. In the face of such organised trade union movement, I do not think any authority would be in a position to give wrong order knowing that he is giving wrong order.

What is the part to be played by the trade unions; why have the trade unions been completely ignored and why is there no place found for the trade unions here? When an employer gives notice or closure, retrenchment or layoff certainly no authority is going to dispose of this matter without giving notice to the parties who are affected by the proposed notice given by the employer. *(Interruptions)* For everything, we need not make provisions. Under the principles of natural justice, without giving an opportunity to the other party, no order can be passed. And in this case, if there is any doubt in the minds of the hon. Members—which we don't have—we will certainly write letters to the authorities concerned and to the State Governments that no matter should be disposed of, without giving notice to the affected parties. The Supreme Court has laid down in a series of cases that no matter can be decided by any person without giving notice to the other parties, or without conforming to the principles of natural justice. *(Interruptions)* Therefore, I need not go into the various aspects of the law, because the principles are very clear in such a case, the concerned trade unions—recognized or otherwise—or any ther interested trade union can come forward and represent the case of the workers or the group of workers who would be affected by any order. Therefore, I do not think I should elaborate my reply any further with regard to the various provisions. As I had said in the begining, this is the most non-controversial legislation and I thought the hon. Members would pass it even without a discussion; but anyway, the discussion has certainly helped us to highlight certain matters and I am extremely greatful to the hon. Members with regard to this.

Now, with regard to the question raised by Dr. Ranen Sen and Shri S. M. Banerjee, I am advised to state, Sir, that

> "There is no formal proposal under the consideration of the Commerce Ministry to provide finances to the original owners of Lakshmi Ratan Cotton Mills and Atherton

[Shri Raghunatha Reddy]

West Mills to re-open these mills. Government is exploring alternatives for re-opening of the mills and has been in close touch with the U.P. Government in this regard; and the Government is fully alive to the situation and would take such steps as are called for."

I have no doubt that my distinguished colleague, the Deputy Minister of Commerce and other friends in the Commerce Ministry are fully alive to the situation and that they are trying their best to take such prompt action as is called for in the circumstances of the case.

DR. RANEN SEN: Enquiries were made by the Commerce Ministry; and newspapers have reported, I am told, that the Commerce Ministry has recommended the taking over of the Khurja Jute Mills. That is why I wanted to know the position.

SHRI RAGHUNATHA REDDY: I understand that there is no immediate information available on this question. I will verify and my friend will verify—and inform Dr. Ranen Sen. I may also say that I am very greatful to Mr. Stephen for raising a legal issue which, perhaps by some drafting mistake, had not been properly looked into; I am trying my best to get it remedied.

MR. DEPUTY-SPEAKER: The question is.

"That the Bill further to amend the Industrial Disputes Act, 1947, as passed by Rajya Sabha be taken into consideration."

The motion was adopted

MR. DEPUTY-SPEAKER: I may tell in advance that I have just received a notice of two amendments by the Minister. I have admitted them, because they are in response to the points made by Members here, especially Mr. Stephen; and I think that it is in the interests of the debate and of the bill that the Chair should go out of the way and be responsive to a matter like that. But the Table was just pointing out to me that there may be some confusion about the numbering. We will sort it out. We will take up clause by clause consideration. What I would like to say is, in view of the fact that the Minister has responded, should it be necessary to have a debate on all these amendments? Anyway, it is up to you. I thought we might spare some time that way.

SHRI RAGHUNATHA REDDY: Sir, with your permission, may I make one appeal to the hon. Members? Since I myself have accepted the suggestion made by Shri Stephen and given notice of an amendment, which you were kind enough to allow me to proceed with, if the hon. Members do not press their amendments or make speeches on them, we can pass this measure quickly. I am saying this because a message will have to go to the Rajya Sabha, and tomorrow it will have to be taken up there.

MR. DEPUTY-SPEAKER: It is up to the House. I am only making an appeal to you on behalf of the Minister.

Now the question is:

"That clause 2 stand part of the Bill"

The motion was adopted.
Clause 2 was added to the Bill

Clause 3—(*Insertion of new Chapter VB*).

SHRI RAMAVATAR SHASTRI (Patna): I beg to move:—

Page 1, lines 18 to 20,—

for "in which not less than three hundred workmen were employed on an average per working day for the preceding twelve months"

substitute—

"where the Industrial Employment (Standing Orders) Act is applicable and the period of working of a worker or employee is not less than 240 days in a year" (1)

Page 2, line 39,—

for "making such inquiry as he thinks fit"

substitute—

"ascertaining adequate and sufficient reasons of closure and retrenchment may" (2)

Page 2,—

after line 41, *insert*—

"Provided stocks of unsold articles, over-production and recession and loss thereof shall not be counted as sufficient and adequate reasons." (3)

Page 2,—

line 48, *add* at the end—

"Provided the delay in giving such permission is not due to the fault of the employer." (4)

Page 3, line 25,—

for "one year" *substitute* "240 days" (5)

Page 3, line 53,—

add at the end—

"provided the delay is not due to the fault of an employer" (6)

Page 4, line 50,—

add at the end—

"if the appointments were made specifically for that particular construction which is complete" (7)

DR. RANEN SEN: I beg to move:

Page 1, line 19,—

for "three hundred workmen" *substitute* "fifty workmen" (8)

Page 2, line 25,—

after "employer"

insert "without a notice of ninety days" (9)

Page 2, lines 27 and 28,—

for "unless such lay-off is due to shortage of power or to natural calamity"

substitute "who should be given notice of ninety days before" (10)

Page 2, line 28,—

add at the end—

"and further, the representative union or if such union does not exist, registered union or unions shall also be consulted" (11)

Page 2, line 39,—

after "fit" *insert*—

"including enquiries from representative union or if such union does not exist registered union or unions"(12)

Page 3, line 1,—

after "permission" *insert*—

"with and prior intimation to workmen" (13)

Page 3, line 2,—

after "permission" *insert*—

"with and prior intimation to workmen" (14)

Page 3, line 35,—

for "fifteen days'" *substitute* "thirty days'" (15)

Page 3, line 42,—

add at the end—

"and this notice to the Government or to the appropriate authority notified by the Government has been given three months before the date of proposed retrenchment."(16)

[Shri Ramavatar Shastri]

Page 3, line 45,—

after "fit" *insert*—

"including enquiries from representative union or if such union does not exist, registered union or unions" (17)

Page 5, line 29,—

after "accident" *insert*—

"resulting in huge loss of machineries, destruction of shops and sheds, godowns" (18)

Page 5, line 30,—

omit "or death of the employer" (19)

Page 6, line 14,—

for "or" *substitute* "and" (20)

Page 6, line 15,—

omit ", or with both" (21)

Page 6, line 19,—

for "or" *substitute* "and" (22)

Page 6, line 20,—

omit ", or with both" (23)

Page 6, line 23,—

for "or" *substitute* "and" (24)

Page 6, line 30,—

for "or" *substitute* "and" (25)

SHRI RAMAVATAR SHASTRI: I beg to move:

Page 4, line 14,—

add at the end "provided the delay is not due to the fault of the employer" (26)

Page 5, line 19,—

add at the end—

"provided the delay is not due to the fault of the employer" (27)

Page 6, line 13,—

after "with" *insert* "rigorous" (28)

Page 6, line 14,—

for "one month" *substitute* "six months" (29)

Page 6, line 24,—

omit ", or with both" (33)

Page 6, line 29,—

after "with" *insert* "rigorous" (34)

Page 6, line 30,—

for "one month" *substitute* "six months" (35)

Page 6, line 31,—

omit ", or with both" (37)

SHRI RAM SINGH BHAI: I beg to move:

Page 3,—

omit lines 31 to 33. (40)

SHRI DINEN BHATTACHARYYA: I beg to move:

Page 2,—

omit lines 13 to 21. (42)

Page 2, lines 22 and 23,—

omit "(other than a *badli* workman or a casual workman)" (43)

Page 2, lines 29 and 30,—

omit "(other than *badli* workmen or casual workmen)" (44)

Page 2,—*after* line 36, *insert*—

"Provided that the union|unions representing laid-off workmen shall also be given fifteen days time to represent their point of view." (45)

Page 2, line 39,— *after* "may" *insert*—

"provide proper chance of representation to the workers and their union|unions and" (46)

Page 3, line 36,—

omit "average" (47)

श्री रामावतार शास्त्री (पटना) : उपाध्यक्ष महोदय हम इस समय औद्योगिक विवाद अधिनियम 1947 में संशोधन करने पर विचार कर रहे हैं तथा इसी संशोधन के क्रम मे मैंने अपने 16 संशोधन पेश किये है। मैं अपने तमाम संशोधनों पर एक ही बार तीन-चार मिनट में बोल देना चाहता हू। पहली बात तो यह है कि जिन उद्योगो मे यह कानून लागू होगा उन के बारे मे आपने चर्चा की है और कहा है कि जहा 300 मजदूर काम करते हैं उन पर यह कानून लागू होगा तथा वे एक साल तक लगातार काम करते रहे हो। मेरा इस सम्बन्ध मे निवेदन है--सरकार का ही एक कानून है---इण्डस्ट्रीयल एम्पलायमेन्ट स्टेण्डिग आर्डर्ज एक्ट--जिस के तेहत जहा 100 मजदूर काम करते हो उन पर यह लागू हो जाता है। जब ऐसा नियम हमारे यहा है तो यहा भी इस को 100 मजदूरो पर लागू करना चाहिये। एक दूसरी बात मुझे यह कहनी है कि आप के औद्योगिक विवाद कानून में यह व्यवस्था है कि जिन मजदूरो ने 240 दिन तक काम किया है उन्हे लगातार-मजदूर माना जाता है उन्हें सब सुविधाएं दी जाती है तो फिर यह एक साल रखने की क्या जरुरत थी, यहा भी आप को 240 दिन की ही व्यवस्था करनी चाहिये।

दूसरी बात मुझे यह कहनी है कि अगर कोई मालिक कारखाने को बन्द करना चाहे तो आप ने अधिकारियो पर छोड दिया है, वे सोचेंगे कि क्या एन्कवायरी करनी है। मेरा निवेदन है कि इस को गोलमोल मत छोडिये, उन को साफ़ साफ कहिये कि "बन्दी" का कारण ढूढे, उचित कारण साफ़ साफ़ बताया जाय। यह कह कर नही छोडा जाना चाहिये---

"making such enquiry as he thinks fit"

बल्कि यह होना चाहिये

"ascertaining adequate and sufficient reasons of closure and retrenchment".

इसी तरह से मेरा यह भी कहना है कि यदि कोई मालिक कोई कारण बनाता है और आप उस को मान जाए उसको बन्द करने की इजाजत मिल जाय, तो वहा पर भी एक प्रोविजो लगाइये---

> "Provided stocks of unsold articles, over-production and recession and loss thereof shall not be counted as sufficient and adequate reasons."

मेरा उद्देश्य केवल यह है कि कारण स्पष्ट बताया जाना चाहिये। इस तरह से तो वह भी कह सकता है कि हमारी चीज बिक नही रही है। आज हर आदमी इस बात को जानता है कि वे लोग उत्पादन कम करना चाहते ह ताकि उन को ज्यादा मुनाफ़ा मिले, उन का खर्चा कम करना पडे---इस लिये इस तरह के कारण को नही माना जाना चाहिये।

तीसरी बात--आप ने एक महीने की सजा की व्यवस्था रखी है या जुर्माने की व्यवस्था रखी है। मैंने सुझाव दिया है कि 6 महीने की सजा की जाय। यदि आप 6 महीने की सजा नही रखना चाहते हैं और एक महीने की सजा देना चाहते है तो जुर्माना भी साथ में रखिये, वहा "और" शब्द को हटा कर "एण्ड" शब्द रखिये। एक दूसरी बात यह कि सजा "रिगोरस इम्प्रीजनमैन्ट' होनी चाहिये, सिम्पल इम्प्रीजनमैन्ट मे काम नही चलेगा। जो मजदूरो के साथ खिलवाड़ करे, उस के के लिये रिगोरस इम्प्रीजनमेन्ट और जुर्माना दोनों होना चाहिये। मैंने इस सम्बन्ध मे अनेकों संशोधन दिये हैं जहा "और" शब्द को हटा कर "एण्ड" शब्द रखने के लिये कहा है। यह ठीक है कि हमारा मकसद मालिको को सजा करवाना नही है, हमारा मकसद यही है कि मजदूरो को रोजी-रोटी मिले, लेकिन कोई मालिक यदि जानबूझ

[श्री रामावतार शास्त्री]

कर गड़बड़ करता है तो फिर उस के साथ हमदर्दी नहीं होना चाहिये। उसने गुनाह किया है, उस के गुनाह की सजा उस को जरूर मिलनी चाहिये।

मैं अपने तमाम संशोधन एक साथ पेश कर रहा हूं और मुझे विश्वास है कि मंत्री जी ने जरूर मेरे इन संशोधनों को पढ़ा होगा, जो मेरा मुख्य संशोधन है, जिस का स्वीकार किया जाना बहुत आवश्यक है, उस को वे अवश्य स्वीकार करेंगे।

SHRI DINEN BHATTACHARYYA: I think the hon. Minister will have no hesitation in accepting the amendment. If not at present, he can consider it later.

I want to reduce the number of workmen prescribed from 300 to 50. Otherwise, a large number of factory workers will be deprived of this benefit.

I would also request the hon. Minister to delete the words in brackets, "other than *badli* workmen or casual workmen". You have already laid down the condition that the worker will get the benefit only if he has been serving there for one year. Again, you are putting this qualification that if he is a *badli* or casual worker, he will not get the benefit This is something which cannot be accepted by any trade union, nor even by the Minister I think.

Regarding the intimation sent by the employer, the hon. Minister has already assured us that the workers' representatives will also be given intimation and that they will get a chance for making representations. Why do you not include a provision that whenever any intimation is given by an employer to the authority, it should be binding on the authority to intimate the representatives of the workers to say if they have got anything to say in the matter. Why should they depend on the mercy of the competent authority?

As far as the penal clause is concerned, the Government should consider about it, because there are so many cases. Even in the case of payment of wages, no punishment is ever being given to an employer. If at all some fine is to be imposed, the management does not bother about it. You have to compel them so that there may not be any *malafide* lay-off, retrenchment or closure. Some deterrent punishment should be there in that penal clause or the person responsible for it will be imprisoned at least for a month. You have not clarified the position. You have said, "either or."

SHRI S. M. BANERJEE: I am not really speaking on my amendments. If the Minister is convinced of any of those amendments, let him accept them.

Kindly see page 5, line 30. It is mentioned here that "if it is satisfied owing to strenous circumstances in the undertaking....resulting in huge loss". Our experience in the jute mill is that minor accidents or fire victimise the workers. They do not pay the wages, but claim damages and close down the factories. So, the accident should be defined here which results in the loss of machinery and godowns. This amendment has really some sense and I hope the hon. Minister will accept it.

श्री रामसिंह भाई (इंदौर) उपाध्यक्ष महोदय यह मेरा महत्वपूर्ण संशोधन छंटनी के बारे में है। अभी तक यह समझ में नहीं आया कि जहां छंटनी की जायगी वहां 2 महीने का नोटिस दिया जायगा। लेकिन समझौते के अन्तर्गत छटनी की गई है तो जिस आदमी की छटनी होगी उसे पता भी नहीं चलेगा और एक दम सबेरे उसे फाटक के

बाहर निकाल खड़ा कर दिया जायगा। इसलिये इस हिस्से को निकाल दिया जाय कि समझौते के अन्तर्गत की गई छंटनी जिस का समझौता हो या कोई भी बात हो तो श्रमिक को मालूम होना चाहिये कि मैं फाटक के बाहर जाने वाला हूं। इसलिये इस हिस्से को इस के बाहर निकाल देना चाहिये कि समझौते के अन्तर्गत या किसी तरह से छंटनी हो तो दो महीने पहले उसे यह तो मालूम होना चाहिये कि उसे फाटक से बाहर निकाला जा रहा है। जैसा कि मैं ने कहा था मजदूरों को मालूम नहीं है पुलिस ला कर दफा 144 लगा कर 400 मजदूरों को सवेरे ही फाटक से बाहर कर दिया। मंत्री महोदय ने ऐसी स्थिति के बारे में क्या सोचा है इस का कोई जवाब ही नहीं दिया। दरअसल जिस का रिट्रेंचमेंट किया जा रहा है किसी एग्रीमेंट के अन्तर्गत उसे यह तो मालूम होना चाहिये कि उस का रिट्रेंचमेंट हो रहा है। इसलिये इस हिस्से को निकाल देना चाहिये। किसी की छटनी हो उसे पहले मालूम हो कि क्या हो रहा है ताकि वह अपना प्रोटेक्शन कर सके।

SHRI RAGHUNATHA REDDY: With regard to the point raised by Shri Ram Avtar Shastri, I concede it is a wider expression, trying to put some phrases which would restrict the meaning of the expression as he thinks fit. But I am not in a position to agree.

With regard to the number 300, I explained during my speech when I moved the Bill and I may also again with great respect say that nearly 66 per cent of the people employed in the factories are covered under this Bill. Apart from the administrative reasons; it is impossible to deal with all these that will arise everywhere. That is why what is practicable and realistic has been included in this enactment. As we can manage things, perhaps, other suggestions made by the hon. Members will be certainly considered. There is nothing like any philosophical opposition to this. But having taken into account the realistic situation in the country, we have fixed the number at 300 and it nearly covers 66 per cent of the people employed in the factories. Mines, plantations and other sensitive areas have been covered in this respect.

With regard to the point raised by Shri Ram Singh Bhai, with great respect, I must say, he is a trade union leader and the trade union leaders always insist on collective bargaining. If there is an agreement between the parties concerned the Government should not interfere in such matters.

MR. DEPUTY SPEAKER: I put all these amendments together moved by Shri Ram Avtar Shastri, Dr. Ranen Sen, Shri Ram Singh Bhai and Shri Dinen Bhattacharyya to clause 3 to the vote of the House.

Amendments Nos. 1 to 29, 33 to 35, 37, 40 and 42 to 47 were put and negatived.

MR. DEPUTY SPEAKER: The question is:

"That Clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

New Clause 3A (*Amendment of section 33C*)

MR. DEPUTY SPEAKER: Now, there is Amendment No. 48, inserting the New Clause 3A, in the name of the Minister.

SHRI RAGHUNATHA REDDY: Sir, I am extremely thankful to you for allowing me to move the amendment.

I beg to move:

'Page 6, after line 35, *insert*—

'Amendment of section 33C'.

3A. In sub-section (1) of section 33C of the principal Act, for the word, figure and letter "Chapter

[Shri Raghunatha Reddy]

VA", the words, figures and letters "Chapter VA or Chapter VB" shall be substituted."' (48).

MR. DEPUTY SPEAKER: I put this Amendement No. 48 moved by the Minister to the vote of the House. The question is:

'Page 6, after line 35, *insert*—

'Amenmdment of section 33C'.

3A. In sub-section (1) of Section 33C of the Principal Act, for the word, figure and letter "Chapter VA", the words, figures and letters "Chapter VA or Chapter VB" shall be substituted."' (48).

The motion was adopted.

MR. DEPUTY SPEAKER: I put the new Clause 3A to the vote of the House. I think, the numbering can be left to the office.

The question is:

"That the New Clause 3A stand part of the Bill."

The motion was adopted.

New Clause 3A was added to the Bill.
Clause 4 was added to the Bill.

MR. DEPUTY SPEAKER: There is an amendment in the name of Shri Ram Singh Bhai to Clause 1. Is he moving?

SHRI RAM SINGH BHAI: I am not moving.

MR. DEPUTY SPEAKER: The question is:

"That Clause 1 the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clause 1, the Enacting Formula and the Title were added to the Bill

SHRI RAGHUNATHA REDDY: I beg to move:

"That the Bill, as amended, be passed."

MR. DEPUTY SPEAKER: Motion moved:

"That the Bill, as amended, be passed."

SHRI KRISHNA CHANDRA HALDER (Ausgram): Mr. Deputy Speaker, Sir, this amendment Bill of 1976 comes only as a restriction on the employers retrenching and laying off the workmen. Section 25 N intends to encourage the employers employing casual labour and badli labour and will get protection under this provision. But what will happen to the petroleum workers, press employees and those employees like shop establishment employees? No protection is given to them. What will happen to construction workers and transport workers? No provision is made in this Bill. Why are Government not bringing a total ban on lay-offs and retrenchments and lock-outs? Hundreds of factories are closed in various parts of the country. What steps will be taken for those mills which are already closed I want to know from the Hon. Minister Mr. Reddy in regard to the J. K. Alluminium, Raniganj which has been closed for more than two years for which so many representations were made by us and others to the Hon. Mr. Reddy, Mr. Chandrajit Yadav, Mr. Pai and the Hon. Prime Minister. Are you going to reopen this J. K. Alluminium, Raniganj?

The Hon. Minister has quoted figures for West Bengal, Maharashtra and other States Hundreds of workers were laid off in Faridabad, Gaziabad and Delhi. What will happen to those workers who have already been laid off? So far as I have gathered, nothing has been provided. So, I reiterate that this Bill will not serve the purpose of the workers but it will serve the purpose only of the employers. So I would request the Minister to bring up a Bill totally banning retrenchment, lay-off and lockout.

श्री रामावतार शास्त्री: केवल एक बात मैं कहना चाहता हूं जिसे मैंने पहले छोड़ दिया था। मैं समझता हूं कि खामियों के बावजूद यह विधेयक पूंजीपतियों पर, कारखानेदारों पर अंकुश लगाता है और मजदूरों को यह कुछ लाभ पहुंचाता है। इसलिये मैं समर्थन करता हूं। लेकिन एक बात मैं कहना चाहता हूं।

बिहार में ऐसे कई कारखाने हैं जिन के मालिकों ने अकारण ही ले आफ कर दिया था या कारखाने बन्द कर दिए थे। उन में एक खान किरीबुरू माइन्ज है। बिना किसी कारण के वह कई महीनों तक बन्द थी। बिहार सरकार के श्रम मंत्री और ए आई टी यू सी के दबाव और प्रयत्नों और धमकी के कारण उसको चालू किया गया लेकिन आपको सुनकर ताज्जुब होगा कि एक तरफ तो माइन्ज चालू कराते हैं और दूसरी तरफ वहां के जो मजदूरों के नेता हैं श्री पूर्णानन्द मजूमदार जो बहुत पुराने मजदूर नेता हैं उनको तथा दो तीन और आदिवासी मजदूरों को मीसा के अन्दर गिरफ्तार करके जेल में बन्द करके अभी भी रखा हुआ है। अगर ऐसी बात होगी तो कैसे औद्योगिक शान्ति रह सकती है। इतने दिनों तक माइंज को बन्द रखने के कारण आपको तो मालिकों को सजा देनी चाहिये थी लेकिन वहां की सरकार ने इन मजदूर नेताओं को ही बन्द कर के रख दिया है। आपको बिहार सरकार को मशविरा देना चाहिये कि ट्रेड यूनियन के कामों के लिए इस तरह से मीसा के अन्दर गिरफ्तारियों को बन्द कर दिया जाए और जिन को गिरफ्तार किया गया है उनको छोड़ दिया जाय।

सरकार ने कुछ कारखानों को ले लिया है। जैसे आर्थर बटलर कम्पनी मुजफ्फरपुर है, ब्रिटानिया इंजीनियरिंग कम्पनी मोकामा है। ये आपके कारखाने हैं। ओरिजनली जितने मजदूर वहां काम करते थे उन सब को नहीं रखा गया है। बहुत से आज भी काम से बाहर हैं। उनका क्या होगा? उनको काम में लिया जाना चाहिये ताकि वे यह महसूस न करें कि सरकार द्वारा कारखाने लिए जाने के बाद उनकी छटनी की गई है। इस तरह की बातें तो मालिक किया करते थे। आपको तो नहीं करनी चाहियें।

एक माननीय सदस्य: कोयले के बारे में कहें।

श्री रामावतार शास्त्री: वह भी है। आप अभ्रक के बारे में बोल चुके हैं।

इसी तरह से पटना में वैसे तो कोई बड़ा उद्योग नहीं है लेकिन जो मामूली से हैं जैसे बिहार काटन मिल वहां ऐसा होता है कि जब चाहते हैं मालिक लोग तब ले आफ कर देते हैं। इसी तरह से पटना सिटी में प्रदीप लैम्प वर्क्स है जिस के मालिक जन संघी हैं, वे जब चाहते हैं कारखाना बन्द कर देते हैं। इसी तरह से वैद्यनाथ आयुर्वेद भवन है और इस तरह के और भी हैं। मैं कहना चाहता हूं कि मालिकों की इस तरह की कार्रवाइयों पर आप अंकुश लगायें। साथ ही किरीबुरू माइन्ज के जिन मजदूर नेताओं को आपने जेल में बन्द कर के रखा है, मजदूरों को जेल में बन्द कर के रखा है उन्हें बिहार सरकार से कह कर छुड़वाएं ताकि औद्योगिक शान्ति बनी रह सके।

SHRI RAGHUNATHA REDDY: The law that this House is pleased to pass now is applicable to all parts of the country, it is not confined to West Bengal or any other place.

With regard to the points raised by Shri Ramavatar Shastri, they are matters concerning individual units. We are discussing the general law, and I hope, to the extent the general law is useful, it will be applied.

MR. DEPUTY-SPEAKER: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

14.27 hrs.

LEVY SUGAR PRICE EQUALISATION FUND BILL

MR. DEPUTY-SPEAKER: We now take up the Levy Sugar Price Equalisation Fund Bill.

Mr. Shahnawaz Khan.

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI SHAHNAWAZ KHAN): I beg to move*:

"That the Bill to provide for the establishment, in the interest of the general public, of a fund to ensure that the price of levy sugar may be uniform throughout India and for matters connected therewith or incidental thereto, be taken into consideration."

This is a non-controversial Bill with a very limited object. This Bill, after it is passed, will be followed by a general discussion on price of sugarcane—all matters pertaining to the price of levy sugar and price of sugarcane. This Bill has only a very limited object. The producers of sugar are required to deliver a certain percentage of the sugar produced by them to the nominees of the Central Government for distribution to the consumers at a fair price. Such sugar is called levy sugar. The ex-factory prices fixed by the Central Government in relation to levy sugar were challenged by several producers. In many cases, pending final decision, they were permitted by courts to charge from the Government nominees prices in excess of controlled prices. In several cases, the controlled prices fixed by the Central Government have been finally upheld by the courts. The realisations made by the producers of sugar in excess of the controlled prices do not legitimately belong to the producers. Therefore, such excess realisations ought to be refunded to the consumers from whom excess realisations were made. But it will not be possible for the mass of consumers to claim refund of the excess realisations from the producers. Consequently, the producers will continue to hold certain monies which do not legitimately belong to them. In the circumstances, the Bill seeks to constitute a Fund to be called 'Levy Sugar Price Equalisation Fund', in which the producers of sugar will have to deposit the excess realisations made by them. The money standing to the credit of the fund being legitimately the property of the consumers, initially the consumers will be given the right to claim refund from the Fund on production of adequate proof. The unclaimed monies would vest in the Central Government and would be utilised for the overall benefit of the consumers in accordance with the existing scheme of equalisation of retail price of levy sugar throughout the country. If any lawful claimant appears at any time even after utilisation of the monies standing to the credit of the fund for the benefit of the community of consumers, necessary refund shall be made from the Central revenue. As the Bill seeks to protect the interest of the common man, I commend the same for its early consideration and passing.

MR. DEPUTY-SPEAKER: Motion moved:

"That the Bill to provide for the establishment, in the interest of the general public, of a fund to ensure that the price of levy sugar may be uniform throughout India

*Moved with the recommendation of the President.

and for matters connected therewith or incidental thereto, be taken into consideration."

Dr. Saradish Roy.

DR. SARADISH ROY (Bolpur): Mr. Deputy-Speaker, Sir, this Bill for the establishment of a fund is nothing but to perpetuate the dual price system of sugar, that is free and levy sugar, and allowing the mill-owners to make extra profit out of the system. It is a compromise that the Government and the mill-owners have arrived at to squeeze the common man.

About 35 percent of sugar produced in the country is being requisitioned by Government, the other is being sold by the mill-owners at a high rate fixed by them. The mill-owners do not reveal their actual production; that is being concealed. In my constituency, there was a sugar mill, now it is closed, but at that time I have seen that stealthily hundreds of tonnes of sugar were taken out of the mill without payment of any excise duty. I am told that such a practice is prevalent all over the country. The mill-owners do not pay excise duty on their full production; they conceal some part of their production and make abnormal profits by cheating Government of payment of excise duty.

When the system of dual price was introduced and the free sale of sugar was allowed, Government claimed that this was to encourage the mill-owners to increase the production, but during the last few years, we have seen that the increase in production is very much marginal and the mill-owners have made enormous profits and they have diverted this amount to other industries.

During the last few years, the price of sugar has gone up three times. In 1965-66, the wholesale price index was 130.8, and in October last it was 393. However, during this preiod, there has been no appreciable increase in the case of wages of the sugar mill workers, nor has there been any appreciable increase in the sugar-cane price. The mill-owners have minted money.

There is a common demand that the entire stock of sugar should be taken over by Government and distributed through Government channels at a reasonable price, so that the consumers may get this essential commodity at a reasonable price. But that is not being done. The Government, on the other hand, by this system of dual pricing is encouraging the black-marketing system in our country. In the name of free sale of sugar, several concessions have been given to the mill-owners during the last few years. The excise duty on levy sugar has been reduced, but the consumer price has not been reduced. That amount has gone into the pockets of mill-owners. The excise duty on free sugar has been increased and that has meant extra cost to the consumers and the price of free sugar has increased many times.

The ruling party has been talking of nationalisation, specially before the elections, they passed resolutions and made a propaganda.

MR. DEPUTY-SPEAKER: This speech would have been more appropriate in the next item. This is only for constituting a fund.

DR. SARADISH ROY: They have appointed commissions to go into the matter but they have put their reports in cold storage. People know the reason for this compromise between the Government and the mill-owners and people have now come to know of the role of the Government in this matter.

The Government is exporting a huge quantity of sugar though sugar is scarcely available in the market and their prices have gone high. Still, in the name of availability of surplus.

[Dr. Saradish Roy]

they are exporting sugar and the people of our country cannot purchase sugar because the rate of sugar in the free market is so high that it is not within the reach of the common man and, though there is no real surplus which the Government is exporting.

Then, Sir, the Government by its policy, that is by the release of monthly quota of levy sugar, are creating such a condition that there is an artificial shortage and the prices are going up. As a result, the mill-owners and the traders are making extra profits.

Now, Sir, take sugar exports. It is being done at a subsidised price of Rupee one per kg I hope the Minister will clarify this. By this you are imposing an extra burden on the common consumer because he is being over-charged. This is your patriotism and nationalism by which you are supplying sugar at a cheaper rate to the foreigner but at an extra higher rate to the Indian consumers.

In this Bill there is a provision which I am not able to understand. The Minister said that it is meant only for the consumers. But there is a clause, clause 6(3) which says

> "Provided that if the amount standing to the credit of the Fund is not sufficient to enable the Central Government to make the refund, such refund shall be made from the Central revenues."

That is, the mill-owners will get some money. ...

MR DEPUTY-SPEAKER: No, no. It is refund to the consumer.

SHRI S. M BANERJEE (Kanpur): It is the wholesaler who will get Suppose the common man purchases 1 kg. or 2 kg., how is it possible to make the refund?

MR DEPUTY-SPEAKER: No refund to the producer, as far as I can see.

DR. SARADISH ROY: Refund to whom?

MR. DEPUTY-SPEAKER: That is why he has made this. He said that it is very difficult to decide which consumer should get the refund. It is very difficult. He has admitted that. That is why he said that this money, if not claimed or not justified for any consumer, will come to the Fund and the Government would utilise that in the overall benefit of all the consumers in the country, although how they are going to do that is not clear to me.

DR. SARADISH ROY: Then why does the question of refund come? You see clause 6(3).

SHRI S. M. BANERJEE: Refund to whom?

MR. DEPUTY-SPEAKER: Let the Minister make it clear.

SHRI SHAHNAWAZ KHAN It is provided in the Bill that after six months, all the amount which remains unclaimed would vest in the Central Government.

SHRI S. M BANERJEE. Who will claim refund?

SHRI SHAHNAWAZ KHAN: The consumer. . (*Interruptions*)

DR. RANEN SEN (Barasat). How can a consumer who purchases 2 kg. or 4 kg. claim refund?

SHRI DINEN BHATTACHARYYA (Serampore): It is a hidden subsidy.

MR. DEPUTY-SPEAKER: As I understand, it is this ... . (*Interruptions*) I will allow you. Let me regulate it.

The refund will not be to the producer. The producers will be compelled or already they have made some deposits of the difference which they have realised over and above the price fixed by the Government. They

will have to deposit this money. So, there is no question of refunding it to the producers. The question is refunding it to the consumers. And who are the consumers, is a very difficult question and I think, even the Minister is not clear. That is why they have made certain provisions that if a wholesaler has realised the increased rate from the retailer, then no refund to the wholesaler and if the retailer has realised a higher rate from the consumer, then no refund to the retailer and all the money comes to the Government.

In the case of refund, whether feasible or not, the money remains with the Government. The Government says that they are going to utilise this money for the overall benefit of the consumer.

DR. SARADISH ROY: How?

MR. DEPUTY-SPEAKER: I do not know. That is why I say it is not clear to me.

SHRI S. M. BANERJEE: There is a point of order.

Here is a Minister who comes in the House with the Bill saying that this has a limited scope and is a non-controversial Bill and so on. He was about to say that we should pass it without discussion.

MR. DEPUTY-SPEAKER: I say, the principle is non-objectionable.

SHRI S. M. BANERJEE: The Point of Order is if the Minister cannot possibly give us a clarification, a satisfactory clarification, even at the introduction stage, what are we passing? What are we discussing? You have put a very pertinent question—how will the money be utilised?

MR. DEPUTY-SPEAKER: You have put a question. It is not a Point of Order.

SHRI H. M. PATEL (Dhandhuka): This is a basic point which has arisen. The Minister should be asked to explain what is meant by 'refund' under Sections 3 and 6. I have a certain understanding, the Speaker has a certain understanding. Your understanding. Sir, does not coincide with his or mine.

MR. DEPUTY-SPEAKER: In what way is my understanding different from yours?

SHRI H. M. PATEL: The refund is not envisaged here as being claimed by the consumer. The refund is to be claimed by the dealers—either wholesaler or retailer.

MR. DEPUTY-SPEAKER: They are supposed to be consumers.

SHRI H. M. PATEL: I want only that the Minister be good enough to explain the scheme of this Bill—exactly what he means, how is the fund going to be created, who pays the excess, who has to recover the excess payment, how is the excess going to be claimed. Quite clearly the consumer can never succeed in getting a refund. This is an utterly impracticalbe proposition.

DR. SARADISH ROY: It seems to me that the Minister is concealing some points. In some cases the Government may have to pay extra money to the mill-owners. and in some cases they have realised extra money and the money has been deposited in the bank. They are utilising the funds. In that case, you have to pay more to the mill-owners by court decrees. In that case the refund is to be made to the mill-owners. That is the point.

SHRI SHAHNAWAZ KHAN: A large number of cases were filed by the producers of suger (the sugar mill-owners) in different courts.

SHRI DINEN BHATTACHARYYA: Sugar mill workers produce sugar.

MR. DEPUTY-SPEAKER: It is a very tricky complicated point.

SHRI SHAHNAWAZ KHAN They claimed and obtained from the Government nominees who lifted the sugar at higher prices under interim orders of courts than were allowed to them under the levy sugar price fixation order Those amounts have remained with them The Supreme Court has given a decision in some cases in favour of the Government upholding the sugar price fixation order But, as I said they wanted that these amounts (which they collected) should be allowed to be retained by them The Government is advised by the legal experts that the amount retained by them that is, the higher prices charged by them, should go to the consumers that is to say, the persons who paid higher prices We admit this It is the consumer who should ultimately claim this amount He has to prove that he has purchased so much sugar and he has to give the proof Where such proof is forthcoming, the amount would be given to the consumer, as I said Much depends upon the proof and if no proof is forthcoming should it be given to the mill-owners is the question What we have suggested is this, that this should come to the Levy Sugar Price Equalisation Fund It should be used for the common good of the consumer by ensuring a uniform price for sugar throughout the country, and if the amount is a sizeable one, then, to bring down or stabilise the uniform retail the price of levy sugar So Sir, this is the general scheme of the thing and I do not at all think that anybody can take any objection to this

DR SARADISH ROY Sir my point is this Please see sub clause (3) of Section 6 Here it is stated as follows I quote

> 'Provided that if the amount standing to the credit of the Fund is not sufficient to enable the Central Government to make the refund, such refund shall be made from the Central Revenue'

Why do you say that it is from 'Central Revenues' from which such refund shall be made? This is my point.

SHRI SHAHNAWAZ KHAN: Because they will be merged with the Central revenues after dissolution of the Fund That is to say, after dissolution of the fund refund, if any, would be made from the Central revenues to which the amounts in the dissolved Fund may be credited.

SHRI H M PATEL If you will see the statement of objects and reasons, you will find this in the last sentence The monies are vested in the Central Government—this is the unclaimed money and that is what is referred to in the Supreme Court judgment The money arises because of the Supreme Court's judgment and the monies are vested in the Central Government who will utilise them for ensuring that the price of levy sugar throughout India is uniform Now, the price of levy sugar is not uniform throughout

MR DEPUTY-SPEAKER This is only for a certain period when there are no claimants

SHRI H M PATEL The main object of the bill is this The monies vested in the Central Government will be utilised for ensuring that the price of levy sugar throughout India is uniform etc etc Now the levy price of sugar varies from State to State The country has been divided into sixteen zones for the purpose of fixing the levy price of sugar Therefore, for instance in Gujarat the levy sugar purchased is at Rs 124 a quintal The price varies from zone to zone

MR DEPUTY SPEAKER They may have a pool price

SHRI H M PATEL I know that. The price varies Therefore, in order to ensure that a uniform price is fixed for the levy sugar which is subsequently made available to the consumers, the levy prices are pooled and a uniform price fixed by Government That is the object of this Bill. But, in the

process of pooling the price, the situation may arise that some dealers and some fairprice shops might have been given sugar initially at a different price and later on, the difference is to be refunded to those people. That is how the ordinary consumers will get sugar at the same price throughout the country. And, in the process of achieving this, they may not initially have released the levy sugar to these fairprice shops or the dealers at a price which is same. That is how presumably the refund question arises. There is no other explanation that I can think of.

DR. SARADISH ROY: On this point I want to say that no fund should be diverted from the Central revenue for payment of this kind. Therefore, I am bringing in an amendment on this. The levy should be imposed on the sugar millowners in order to create this fund. I want to speak a few words on the sugarcane price, that is going to be discussed very soon.

MR. DEPUTY-SPEAKER No, no, that is in the next item.

DR. SARADISH ROY: Then, Sir, in conclusion, I want to say that this piecemeal legislation will not help, radical steps should be taken to nationalise the sugar mills. Government should examine the sugar policy so that consumers can get the sugar at a reasonable price throughout the country and sugarcane growers interest protected. With these words, I have done.

SHRI K. SURYANARAYANA (Eluru): Mr. Deputy-Speaker. Sir, I support this Bill. I wanted to clarify doubts of the hon. Members.

DR. RANEN SEN: You are also supporting a wrong cause!

SHRI K. SURYANARAYANA: I am for producer cooperatives, consumers as well as factory owners. You wanted everything to be nationalised. We have no objection for that also when conditions are favourable.

Government also say that the originators of agro-industries are the cane producers. There is no question of any dispute or doubt about this. The point raised by Mr. Patel was this The money vested in the Central Government will be utilised for ensuring that the price of levy sugar throughout India is uniform. That means they are not charging from the factory the same price for the levy sugar which is being distributed and given to the consumers. That means the fund will directly go to them. Once it goes to the dealer from the factory or from the Food Corporation, the dealer is collecting it from the consumers. In the interest of the general consumers, this fund will be utilised. And whenever there is any price speculation, this will be utilised for the consumers' benefit. There is no dispute that the fund will be utilised for the consumers' benefit only. Then there are other things. Mr. Pandey's resolution is there. When it comes up, we can raise all these things. So, Sir, I say that in order to prevent the exploitation the Government have come forward with this measure.

So the Opposition parties should not have any doubts on each and everything and oppose for the sake of opposition. In the amendment, they have referred to Central revenues. 'Central revenues' means not general revenues. This is only because you are collecting this money—excess amount—from the sugar consumers. If there is any necessity, this fund may be utilised for the benefit of the sugar consumers by way of reducing the price in future sales There is a reference in the High Court decisions also to difference in price. We can speak about all these in the next discussion. In the meanwhile, there is no necessity to have a general discussion or any lengthy discussion on this. I would appeal to members to let this be passed in half an hour or fifteen minutes. I support the Bill

MR. DEPUTY-SPEAKER: Before I call others, let us be clear about one thing. A certain excess amount has been realised by the producers.

SHRI K. SURYANARAYANA: By the factory-owners; otherwise it will be interpreted as sugarcane producers.

MR. DEPUTY-SPEAKER: Is it not right that this excess money should be utilised for the benefit of the consumer? I think that is the meaning.

SHRI H. M. PATEL: We accept that.

MR. DEPUTY-SPEAKER: If we are agreed on that, other problems can be taken care of.

SHRI H. M. PATEL: I would agree—if only he could make that clear. What exactly is the scheme of the thing? That is why I referred you to the statement of objects and reasons.

MR. DEPUTY-SPEAKER: I have seen that.

SHRI H. M. PATEL: He spoke about the selling price of levy sugar. I was going to explain that the levy sugar procured by Government is at different prices from different factories. Therefore, you have to pool the price. In the process of that pooling, it is possible that there is a difference in the price of sugar that is released to the distributors. This will later on be adjusted. If this is not the scheme, let the Minister explain what it is.

MR. DEPUTY-SPEAKER: I said I am not sure how they are going to administer it, but I can imagine a certain amount of money in the hands of Government out of these proceeds, say Rs. 3 crores, Rs. 4 crores or Rs. 10 crores whatever it is. Now if this money cannot be refunded to the consumers because of the complications involved ....

SHRI K. SURYANARAYANA: It is not possible.

MR. DEPUTY-SPEAKER: ....then Government want to utilise this money for the benefit of the consumer, and the scheme is that they would have a uniform price of sugar all over the country, may be this money may be used for subsidising that price, fixing it at a lower price.

SHRI H. M. PATEL: Let him say so.

DR. SARADISH ROY: That should be met from the Central Government, as mentioned in cl. 6(3).

MR. DEPUTY-SPEAKER: The only thing is that because there is a time-limit, if this money that is accumulated in this fund cannot be reimbursed to the consumer, it will go into the Consolidated Fund.

DR. SARADISH ROY: No, Sir. It should be met from the central funds, that is not mentioned here by the Minister.

MR. DEPUTY-SPEAKER: When we come to the clauses you can talk about it. It goes to the Central revenues.

SHRI K. SURYANARAYANA: We do not want to accept that.

MR. DEPUTY-SPEAKER: Shri Sarjoo Pandey.

I think that can be made clear by some kind of amendment.

SHRI H. M. PATEL: Let him clarify that.

SHRI SHIVNATH SINGH (Jhunjhunu): It will be provided for in the rules as to how it will be utilised. Therefore, there will be no doubt about it.

श्री सरजू पांडे (गाजीपुर) : उपाध्यक्ष महोदय जैसा कि अभी आप ने फर्माया है इस बिल का उद्देश्य है कि जिन मिल मालिकों ने ज्यादा कीमत पर चीनी बची है और जो ज्यादा पैसा लिया है उसको या तो कन्ज्यूमर को

लौटा दिया जायगा या अगर उन का कोई दावेदार नहीं होगा तो केन्द्र में वह रुपया जमा हो जायगा और उस रुपये का इस्तेमाल देश में चीनी के दाम में एकरूपता लाने के लिए किया जायगा। इस तरह से यह बिल देखने में तो अच्छा है और इस का उद्देश्य भी अच्छा है। मगर यह चीनी की समस्या हिन्दुस्तान में बड़ी भयंकर है और ये चीनी के मिल मालिक तख्ता पलटते रहते हैं। जब जैसी चाहें सरकार बना देते हैं। हमारे उत्तर प्रदेश में तो सरकार बनाने और बिगाड़ने में इन का बड़ा हाथ है।

14.58 hrs.

[SHRI C. M. STEPHEN *in the Chair*]

अभी जब गन्ने के भाव का सवाल आयेगा तो मैं बताऊंगा। आपने जो चीनी वालों को बाजार में बेचने की खुली छूट दे दी है उसमें खुली चीनी तो हर जगह अवेलेबिल है लेकिन लेवी की चीनी कहीं नहीं मिलती है। खुद आपने कहा है कि बहुत सी अदालतों में मुकदमे चल रहे हैं। अदालतों ने शुगर को रोक कर कहीं कहीं मनमाने दाम पर बेचने की इजाजत दे दी है। लेकिन जो छोटे छोटे कंज्यूमरस हैं, दो, तीन या एक किलो इस्तेमाल करने वाले वे किस तरह से पैसा क्लेम करेंगे। अगर अदालत में दरख्वास्त देंगे तो जितने की चीनी नहीं होगी उतनी कोर्ट फीस हो जायगी। क्या आप कोई मशीनरी बनाएंगे जो रिफंड करा कर पैसा दे दे कि फलां दुकानदार ने इतने एक्सेस दाम लिए हैं, वह उस को लौटा दिया जाय। लेकिन उस का इस में कोई प्राविजन नहीं है। मेरी समझ में नहीं आता किस तरह से पैसा दिया जायगा। अगर ऐसी कोई मशीनरी नहीं होगी तो सारा का सारा पैसा सरकार के पास आ जायगा और फिर कन्ज्यूमर को मिलेगा नहीं। इसलिए जो इस बिल का मंशा है वह समाप्त हो जायगा। फिर जैसा आप कहते हैं कि शुगर के दाम में एकरूपता लाने के लिए वह पैसा खर्च किया जायगा तो उस को आप कैसे करेंगे? हमारी दरख्वास्त है कि देश में चीनी की समस्या बहुत गंभीर है जिस पर विचार करने की जरूरत है। लगातार मिल मालिकों ने चीनी के रोजगार से कितना ही धन कमाया है और दूसरी तरफ हिन्दुस्तान के काश्तकार लड़ रहे हैं। नतीजा यह है कि लोग गन्ने की खेती की तरफ से हटते जा रहे हैं। उन का इतना ज्यादा शोषण हो रहा है कि वे गन्ने की खेती नहीं करना चाहते। फिर इस देश का होगा क्या? इसलिये मैं समझता हूं एक काम्प्रीहेंसिव बिल लाने की जरूरत है। अभी इस साल चीनी के दाम बढ़े हैं, शीरे के दाम बढ़े हैं। सारा का सारा मुनाफा पूंजीपतियों की जेब में जाता है। वे अदालतों की भी शरण ले कर महंगी चीनी बेच लेते हैं। ऐसी अवस्था में मेरा अनुरोध है कि ऐसे कानून की भी जरूरत है जिससे हमारे देश के कन्ज्यूमर को भी फायदा हो और साथ साथ जो गन्ना उत्पादक हैं उनको भी लाभ हो। आज तो वे दोनों ही लूटे जाते हैं। फायदा मिल मालिक का होता है। कंज्यूमर को भी महंगी चीनी खरीदनी पड़ती है और काश्तकार को भी उस भाव में अपना गन्ना बेचना पड़ता है जिस भाव में सूखी लकड़ी भी नहीं मिलती। मैं इस बिल का समर्थन करता हूं। सिद्धान्त रूप में मेरा इस से कोई विरोध नहीं है। लेकिन कन्ज्यूमर को रिफंड करने का क्या प्रोसीजर है? इस को आप क्लीअर करें तो मैं समझता हूं बिल ज्यादा अच्छा होगा और इस पैसे को इस्तेमाल करने का क्या तरीका होगा ये दोनों प्वाइंट्स आप क्लीअर करें। वैसे यह बिल ठीक है, मैं इस का समर्थन करता हूं।

15.00 hrs.

SHRI P. NARASIMHA REDDY (Chittoor): While supporting the Levy Sugar Price Equalisation Fund Bill, I should like to seek some information on one or two points. While introducing the Bill, the hon. Minister said

[Shri P. Narasinha Reddy]

that it was a wholly non-controversial Bill and there was no need for much discussion. It is pertinent to know why a situation has arisen under which a fund of this type is sought to be set up in difficult circumstances.

You are aware that sugar pricing policy is largely being handled and decided by the Supreme Court and not by the Government. This is not the first time that difficulties of this nature have arisen. If I remember right, two years ago when the original levy price was considered and implemented, the matter was taken to the courts. Excess realisations were made by factories. I should like to know from the hon. Minister how much of excess realisation was made by the sugar producers during the previous levy policy and what has happened to that excess realisation? Whether they have been ploughed back to the supplier of cane or to the consumer, we would like to know? Secondly, under the revised levy policy which is the root cause of the whole evil and which has resulted in lot of litigations, the necessity of introducing this Bill has arisen. It is pertinent and here it is, in fact, relevant to ask: why Government should not apply its mind to avoid such situations when factories and producers are allowed to make excess collection? You say that it is because of the intervention of the court. But we cannot, as it is, avoid or bar the jurisdiction of the court in these matters pending some of the reforms which you are thinking of. Meanwhile, Government at least should apply its mind to have a second look at the revised levy policy which has caused great hardship and loss to a large section of the cane-growers. Even to avoid such frequent legal resorts by producers and such awkward situations being created when the consumer is made to pay excess and all these things, it is high time that the Government should give a second look at this revised levy policy, the defects of which have been pointed out to the Government more than once.

This Bill, I am sorry to say, has attempted to treat the symptoms and not the disease. Diseases have got to be tackled. The Government has got to give a second and urgent look to the revised levy policy if the entire sugar industry and sugar production is not going to be jeopardised. Time and again, responsible cooperative organisations have brought in detail where exactly this revised levy price policy is pinching the sugarcane growers and sugar factories particularly in the cooperative sector. Some of the Members who spoke before me have rightly drawn the attention of the Government to the real cause of the whole trouble and that is the dual pricing policy and equal controlling policy system which you are trying to adopt towards this industry. It is high time that this dual approach is given up and the unified patterm is imposed. Either bring all the industries in the cooperative sector or in the national sector or bring them under the full-fledged control and not in this way of dilly dallying with the pattern of sugar industry and pricing which will cause less unrest and trouble.

Another main factor which has given rise to this sort of instability in the industry and among the growers is the failure on the part of the Tariff Commission and the Government itself to appreciate the cost of production in regard to cane, manufacturing cost in regard the factory and assumption of free-market price. In all these three aspects, the realities have not been properly appreciated or assessed, so much so that this sort of sugar industry crisis has been created which finds reflected in the High Court interventions and so many other consequences which we would like to avoid. I therefore, appeal to the Minister to apply his mind immediately to overhauling this revised levy price system so that justice may be done to the growers and to ensure long term prospects of our sugar industry and export in this country.

श्री शिवनाथ सिंह (झुंझनू) : सभापति जी, इस लेवी शुगर फण्ड के द्वारा कुछ रुपया जो मिल-मालिकों के पास जमा हो गया है और जो अधिक रुपया वसूल करने की वजह से जमा हुआ है, उस को सरकार नियंत्रण में लाना चाहती है। इस हद तक इस बिल की मंशा ठीक है और मैं उस का समर्थन करता हूं। लेकिन इस रुपये का किस प्रकार यूटिलाइजेशन होगा, इस के बारे में भिन्न-भिन्न मत हैं और मैं भी इस के बारे में अपनी राय आप के सामने रखना चाहता हूं।

आज हम देखते हैं कि हम जो शुगर इस्तेमाल करते हैं, उस की दो कीमतें हैं—एक फ्री मार्किट प्राइस है और दूसरी लैवी-प्राइस है। पिछले दिनों जब फ्री-मार्किट का कोटा बढ़ाया गया था, उस वक्त यहां सदन में कहा गया था कि फ्री मार्किट का कोटा इस लिये बढ़ाते हैं ताकि उस से फैक्टरी-ग्रानर्स का मुनाफा बढ़े और वे उस रुपये का इस्तेमाल अपनी मशीनरी के इम्प्रूव करने में लगायें। लेकिन मेरा चैलेंज है, सभापति महोदय, इस देश में एक भी फैक्टरी-ग्रोनर ऐसा नहीं है जिस ने इस अधिक रुपये का इस्तेमाल अपनी मशीनरी को इम्प्रूव करने में किया हो। उन के दिमाग में तो रात-दिन यही रहता है कि किस प्रकार से हम अधिक से अधिक मशीनरी और मजदूरों का शोषण करें। ऐसी हालत में जहां तक इस बढ़े हुए नफे के इस्तेमाल की बात है—सरकार इस के बारे में सोचे कि क्या इन फैक्टरी-ग्रानर्स को इस प्रकार की लूट करने की इजाजत दी जाय और यदि दी जाय तो कब तक दी जाय।

इस वक्त जो सवाल हमारे सामने है—वह यह है कि लैवी-प्राइस की शुगर की जो अधिक रकम जमा हो गई है, उस के लिये हम फण्ड बनाने जा रहे हैं,—उस फण्ड का यूटिलाइजेशन हम कैसे करें। आप को याद होगा, पिछली बार इस सदन में, "शुगर डेवलपमेंट फण्ड", बनाया था, उस में शुगर-प्राइस पर सैस लगाया था और उस के पीछे हमारा मंशा यह था कि हम उस रुपये को शुगर केन डेवलपमेन्ट पर खर्च करना चाहते हैं। इसी तरह से आप ने पिछले दिनों गेहूं की लैवी पर काश्तकारों को बोनस दिया, वह बोनस किसी इण्डीविजुअल या कन्ज्यूमर का नहीं दिया गया बल्कि काश्तकारों के इम्प्रूवमैन्ट के लिए खर्च किया गया। इसी तरह से मैं चाहता हूं कि इस फण्ड का भी किसी कन्ज्यूमर को न देकर शुगर-केन-ग्रोअर्स की कण्डीशन को इम्प्रूव करने के लिये खर्च किया जाय, केन के डवेलपमैन्ट पर खर्च करे, उन को अच्छा फर्टिलाइजर दे, अच्छा सीड दे, सब्जीडाइज्ड रेट पर दे—जिस से उन को राहत मिले और देश की पैदावार बढ़े।

अभी यहां एक-दो शंकायें प्रकट की गईं—जहां तक कन्ज्यूमर का पहला क्लेम है—उस के बारे में कुछ फिगर्स मंत्री महोदय के पास होनी चाहिये थीं। आप ने कहा है कि कन्ज्यूमर का पहला क्लेम होगा, यदि वह अपना क्लेम इस्टैब्लिश कर पायेगा, तो सब से पहले उस को रिफण्ड किया जायगा। मैं पूछता हूं क्या आप के पास ऐसी कोई स्कीम है या ऐसे दस-बीस केसेज हैं जहां इस तरह से रिफण्ड करने की बात हुई हो, अगर नहीं है तो फिर यहां ऐसी बात क्यों लाई गई है। आप ने क्लाज 8 में कहा है -- under (1) thereof:

> " .. such amount shall be utilized by that Government in such manner as may be prescribed having regard to the interests of the consumers of levy sugar as a class...."

उस के बाद क्लाज 16 में आप ने रूल्ज बनाने की पावर्स ली हैं—इस क्लाज के पार्ट सी में आप ने कहा है—

> **"the manner in which amounts standing to the credit of the Fund shall be utilized,——**

इस का मतलब है—जैसे किसी स्टेट में शुगर पैदा होती है और दूसरी स्टेट में जहां पैदा नहीं होती, सिर्फ कन्ज्यूम होती है— लिहाजा, उस स्टेट को शुगर भेजने में जो किराया

[श्री शिवदाथ सिंह]

लगता है, उस हद तक सब्सीडाइज़ किया जा सकता है ताकि सारे मुल्क में शुगर का एक दाम रखा जा सके--मेरे ख्याल में यह मकसद एक बहुत सीमित मकसद है--इसलिये मैंने निवेदन किया है कि आप इस को शुगर-केन ग्रोअर्स की कण्डीशन्ज़ को सुधारने में खर्च करें, उन को अच्छा बीज और फर्टिलाइज़र मुनासिब दामों पर मुहिया करें--जिस से उन की हालत में सुधार हो और पैदावार बढ़े ।

श्री इसहाक सम्भली (अमरोहा) : चेयरमैन साहब, सरकार शुगर लेवी का बिल लायी है । मुझे खुशी है कि इतने अर्से के बाद सरकार को खयाल आया कि शुगर मिल के मालिकों ने जो लूट की है उस रुपये को किसी तरह से अच्छे काम में खर्च करा जाय । जहां तक हिन्दुस्तान की शुगर इंडस्ट्री का ताल्लुक है यह बिलकुल सही चीज है कि हिन्दुस्तान के प्राइवेट शुगर फैक्ट्री ओनर्स ने इस इंडस्ट्री मे पैसा कमा कर के इसको तबाह किया है । मेरी खुद कांस्टीटुऐंसी में अच्छी बड़ी शुगर फैक्ट्री है, इसको देख कर यह ताज्जुब होता है कि हमारे यहां पर शुगर फैक्ट्री वाले गन्ने का रस निकाल कर के बाकी सारी चीज फेंक देते हैं जिससे कि और कीमती चीजें बन सकती हैं । चीनी के अलावा और कैमिकल्स बन सकते हैं उस खोई से जिसको बेकार समझ कर के फेंक दिया जाता है और भी कई तरह की दूसरी चीजें बन सकती हैं जो कि दूसरे मुल्क बना रहे हैं । इसके वास्ते शुकर फैक्ट्रीज का कमप्लैक्स लगाना चाहिये ।

श्री शाहनवाज खां : मौलाना साहब, इसका बिल से कोई ताल्लुक नहीं है ।

श्री इसहाक सम्भली : मैं इसलिये कह रहा हूं कि आप इस पैसे को इस काम के लिये यूटिलाइज करें । जरूरत इस बात की है कि शुगर इंडस्ट्री को बेहतर बनाया जाय । आज किसान को पैसा यह कह कर कम दिया जाता है कि रिकवरी कम है, इसलिये कि शुगर केन का यूटिलाइजेशन आपके पास सिर्फ एक है । मैं कहना चाहता हूं कि इस इंडस्ट्री को ज्यादा पेइंग बनाने के वास्ते जरूरी है कि बड़े बड़े शुगर कामप्लैक्स बनाये जायें, और नमूने के तौर पर आप एक जगह कहीं पर बनायें । और सही बात यह कि प्राइवेट शुगर फैक्ट्री वाले यह नहीं कर सकते । न वह गन्ने वालों को देंगे और कंज्यूमर्स को अलग लूटेंगे । उन का काम एक है कि ज्यादा से ज्यादा मुनाफा कमायें और उसको बरबाद करें । इसका हल तो एक ही है कि शुगर इंडस्ट्री को नेशनेलाइज़ किया जाय । लेकिन जरूरत इस बात को है कि यह पैसा जो उनसे लिया जाय वह पैसा जैसा कि मेरे भाई शिवनाथ सिंह ने कहा, केन ग्रोवर्स के फायदे में खर्च किया जाय। मैं इतना और कहूंगा कि इस इंडस्ट्री को बेहतर बनाने के लिये खर्च किया जाय ।

[**شری اسحاق سنبھالی** : امروھہ -

چیرمین صاحب سرکار شوگر لیوی کا بل لائی ھے - مجھے خوشی ھے کہ اتنے عرصے کے بعد سرکار کو خیال آیا کہ شوگر مل کے مالکوں نے جو لوٹ کی ھے اس روپئے کو کس طرح سے اچھے کام میں خرچ کیا جائے - جہاں تک ھندوستان کی شوگر انڈسٹری کا تعلق ھے یہ بالکل صحیح چیز ھے کہ ھندوستان کے پرائیویٹ شوگر فیکٹری آنرز نے اس انڈسٹری سے پیسہ کما کرکے اس کو تباہ کیا ھے - میری خود کانسٹیٹیوینسی میں اچھی خاص بڑی شوگر فیکٹری ھے - ھم کو یہ دیکھ کر تعجب ھوتا ھے کہ ھمارے یہاں پر شوگر فیکٹری والے گنے کا رس نکال کرکے باقی ساری چیز پھینک دیتے ھیں جس سے کہ اور قیمتی چیزیں بن سکتی ھیں - چینی کے علاوہ اور کیمیکل بن سکتے ھیں - اس کھوئی سے جس کو بیکار سمجھ کرکے پھینک دیا جاتا ھے اور بھی کئی طرح کی

دوسری چیزیں بن سکتی ہیں ؟ جو کہ دوسرے ملک بنا رہے ہیں اس کے واسطے شوگر فیکٹری کا کمپلیکس لگانا چاہیئے -

شری شاہنواز خاں : مولانا صاحب اس کا بل سے کوئی تعلق نہیں ہے -

شری اسحاق سنبھلی : میں اس لئے کہہ رہا ہوں کہ آپ اس پیسے کو اس کام کے لئے یوٹیلائز کریں - ضرورت اس بات کی ہے کہ شوگر انڈسٹری کو بہتر بنایا جائے - آج کسان کو پیسہ یہ کہہ کر کم دیا جاتا ہے کہ ریکوری کم ہے - اس لئے کہ شوگر کین کا یوٹیلائزیشن آپ کے پاس صرف ایک ہے - میں کہنا چاہتا ہوں کہ اس انڈسٹری کو زیادہ پھیلنگ بنانے کے واسطے ضروری ہے کہ بڑے بڑے شوگر کمپلیکس بنائے جائیں اور نمونے کے طور پر آپ ایک جگہ کہیں پر بنائیں - اور صحیح بات یہ ہے کہ پرائیویٹ شوگر فیکٹری والے یہ نہیں کر سکتے نہ تو وہ گنے والے کو دینگے اور کنزیومر کو الگ لوٹینگے ان کا کام ایک ہے کہ زیادہ سے زیادہ منافع کمائیں - اس کو برباد کریں - اس کا حل تو ایک ہی ہے - شوگر انڈسٹری کو نیشنلائز کیا جائے - لیکن ضرورت اس بات کی ہے کہ یہ پیسہ جو ان سے لیا جائے - وہ پیسہ جیسا کہ میرے بھائی شیوناتھ سنگھ نے کہا کہ کین گروورز کے فائدے میں خرچ کیا جائے - میں اتنا اور کہونگا کہ اس انڈسٹری کو بہتر بنانے کے لئے خرچ کیا جائے -]

श्री दरबारा सिंह (होशियारपुर) : एक बात साफ नहीं है जिसको मंत्री महोदय साफ कर दें । कंज्यूमर इतना रुपया नहीं खर्च कर सकता कि 10 रु० पाने के लिये 10 रु० ग्रोर खर्च करे । इसलिये ग्राप क्लेंकट डिसीजन लें कि पैसे को कंज्यूमर के लिये खर्च करेंगे या केन ग्रोवर्स के लिये खर्च करेंगे ?

SHRI SHAHNAWAZ KHAN: Sir, there is some confusion among some hon. Members about this Bill. Some sugar mill owners, by obtaining decisions of courts, charged higher prices than the levy price. Now the Supreme Court has turned down their petitions and upheld the levy price paid by the Government. The question is what should happen to this amount. Should it go to the mill-owners, the consumer or the Government? It is admitted all round that this money should be returned to the person who paid it, who was charged in excess, and that is the consumer. We are giving an opportunity to the consumer to claim this amount. But suppose he cannot produce any evidence to claim it, then what should happen to this amount is the question which we have to consider.

The House is aware that in different zones different levy prices are fixed for the sugar mills. For instance, in some places it is Rs. 117 per quintal while in others it is Rs. 442. All this has to be equalised so that levy sugar may be issued at a uniform price of Rs. 2.15 per kg.

The Food Corporation of India lifts the sugar and pays the amounts fixed for various zones, and a fund has been

[Shri Shahnawaz Khan]

created so that the prices can be equalised and sugar issued at a uniform price. That scheme of the equalisation fund operated by the Food Corporation is already in existence, it is working. We were advised by our legal experts that a new fund has to be created to claim the excess amount with the sugar mills and that we cannot transfer this amount to any person or organisation. So, a special fund has to be created for this, and by the creation of this fund we have to give an opportunity to the actual persons who paid the excess amounts to claim them. In case they do not claim it, this amount would be utilised to ensure a uniform issue price throughout the country.

The amount involved so far is estimated to be about Rs. 40 crores. This amount can be utilised for either reducing the levy price or holding the price line in case there is a tendency for the price to go up. The rules will be worked out, and I presume that every person who claims this amount will not be required to go to a court of law, he will make an application in the manner to be prescribed in Rules.

SHRI SARJOO PANDEY: There is no procedure like that in your Bill.

SHRI SHAHNAWAZ KHAN: In the initial stages when the fund is in existence and claim is made within a period of six months refund to the consumer would be paid out of this fund, but after the fund is merged with the Central revenues, it can still be paid from the Central revenues.

My hon. friend Shri Roy seems to be little agitated as to why the Central revenues should be asked to pay this amount. I would respectfully point out to him that though the amount may be approximately Rs. 40 crores, we do not foresee the consumer claiming all the amount or anything in excess of it. We presume that the actual claim would be much less than the total amount that will become available. Therefore, there is no point in apprehending any burden on the Central revenues. I hope it is clear.

My good friend has suggested that this fund should be utilised for the development of sugarcane. It is laudable object. I appreciate it. But you will admit that this money belongs to the people who paid it, the consumer, and therefore, it should be utilized for the general good of the consumer. If this money can go towards holding the price line or lowering the levy sugar price, then I think it will serve the purpose.

SHRI H. M. PATEL: You may permit me to seek further clarifications.

MR. CHAIRMAN: No, please.

SHRI H. M. PATEL: Have you delegated your authority to him?

MR. CHAIRMAN: You want to put a question to him?

SHRI H. M. PATEL: If he says that the Food Corporation will have the power to lower the uniform price that is already fixed, and that the money in the fund will be used for that purpose, that is, for reducing the uniform price. The statement of objects and reasons in the Bill should have made that clear.

Today, you are releasing levy sugar at a uniform price. If that is so, then this money is to be utilized to reduce, to lower the price. If that is so, then the question of refunds is unlikely to arise.

SHRI SHAHNAWAZ KHAN: As I said, the amounts credited to this fund would initially be utilised for six months for making refunds. During this period, people can claim it. Even after this amount is vested in and utilised by the central government for the purposes of the Act, refund, if any, can be given from the Central revenues. The House is aware that the levy price is fixed by the Government and the distribution is done by the Food Corporation of India. But we know that

so much funds are available in the Fund. That factor can be taken into consideration for reducing the levy price, when it is considered.

MR. CHAIRMAN: The Miniser has said what he has got to say. It may be satisfactory; it may not be satisfatory.

The question is:

"That the Bill to provide for the establishment, in the interest of the general public, of a fund to ensure that the price of levy sugar may be uniform throughout India and for matters connected therewith or incidental thereto, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: Now we shall take up clauses.

The question is:

"That clauses 2 to 5 stand part of the Bill."

The motion was adopted.

Clauses 2 to 5 were added to the Bill.

MR. CHAIRMAN: Regarding clause 6 in the name of Dr. Saradish Roy, there is an amendment. This amendment has to get the President's sanction. The President's sanction and the recommendations have not been received. Therefore, this amendment cannot be moved. The result is that there is no amendment.

The question is:

"That clause 6 stand part of the Bill."

The moton was adopted.

Clause 6 was aded to the Bill.
Clauses 7 to 16 were added to the Bill.

The question is:

"That clause 1 stand part of the Bill."

The motion was adopted.

Clause 1 was added to the Bill.

Enacting Formula

MR. CHAIRMAN: There is an amendment in the name of the Minister.

Amendment made:

Page 1, line 1,—

for "Twenty-sixth" *substitute*—

"Twenty-seventh" (1)

(*Shri Shah Nawaz Khan*)

MR. CHAIRMAN: The question is:

"That the Enanctmg Formula, as amended, stand part of the Bill"

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Title was added to the Bill.

SHRI SHAHNAWAZ KHAN: I beg to move:

"That the Bill, as amended, be passed."

MR. CHAIRMAN: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

15.31 hrs.

DISCUSSION RE. SUGARCANE PRICE

MR. CHAIRMAN: We now pass on to the next item, Discussion under Rule 193. I now call Shri N. N. Pandey to raise a discussion on the sugarcane price.

श्री बंशीसिंह नारायण पांडे (गोरखपुर): सभापति महोदय, मैं आपका बड़ा शुक्रिया अदा करता हूं कि आपने इस सदन को यह मौका दिया कि वह चीनी की नीति और गन्ने के दाम के बारे में विचार करे। चीनी हमारे देश की सबसे बड़ी एग्रो-बेस्ड इंडस्ट्री है, और हमारे देश में गन्ने की उपज की वजह से चीनी मिलें तथा सरकार आज दुनिया में चीनी के व्यापार में अपना एक स्थान रखती हैं। आपने इस महत्वपूर्ण विषय पर चर्चा करने के लिए मौका दिया, इसलिए मैं आपका आभारी हूं।

गन्ने के दाम का सवाल सारे देश में 1931 से एक बड़ा सवाल बना हुआ है। इस देश में गन्ना किसान गन्ने की उपज करते थे और उसको कोल्हुओं में पेर पर गुड़ तैयार करते थे। उससे वे लोग अपना जीवन-यापन करते थे और देश के करोड़ों लोगों को गुड़ खिलाते थे। 1932 में पहली बार सरकार ने गन्ने के दाम को नियंत्रित करने और चीनी की मिलों को प्रोटेक्शन देने के लिए कानून बनाया, और 1933 में पहली बार गन्ने का दाम तय किया गया। उसके बाद 1933 व 1934 में प्रान्तीय सरकारों ने गन्ने के दाम को तय करने के लिए गन्ना किसानों के नुमायन्दों को बुलाया और मिनिमम केन प्राइस तय की और केन एक्ट पास किया। 1937 और 1938 में केन्द्रीय सरकार ने यू० पी० और बिहार की सरकारों को यह शक्ति दी कि वे कानून बना कर गन्ने के मिनिमम दाम को तय करें। 1942 से 1948 तक केन्द्रीय सरकार ने गन्ने पर खुद नियंत्रण रखा और फिर 1950 में गन्ने की स्लेबुल में मिनिमम प्राइस तय करने के लिए टैरिफ बोर्ड से कहा कि गन्ने के पैदा होने के दाम को इस तरह तय किया जाय कि उचित दाम मिल सके। यह दाम एक हक नहीं होना चाहिये।

इसके बाद बहुत सी कमेटियां बनीं। उन कमेटियों का विवरण देकर मैं इस सदन का समय नहीं लेना चाहता हूं। उन कमेटियों का काम चीनी मिलों को प्रोटेक्शन देना और गन्ने के दाम को तय करना था। इस बीच में दो बातें बड़ी साफ नजर आईं। स्लाइडिंग फारमूला बना। उसके बाद रिकवरी की बेसिस पर केन्द्रीय सरकार ने तय किया कि गन्ने का दाम तय किया जाय। यह गन्ने का दाम तय करने का जो सिलसिला है इसमें हमने आज तक कोई रिपोर्ट नहीं पढ़ी जिसमें यह लिखा हो कि गन्ने के डेवलपमेंट के लिए गन्ने का दाम तय करने के लिए क्या नीति अख्तयार की गई। केन्द्रीय सरकार के द्वारा या प्रान्तीय सरकार के द्वारा, यह हमें किसी रिपोर्ट में पढ़ने को नहीं मिला। भार्गव कमीशन ने भी जो रिपोर्ट दी जो सब से रिसेंट रिपोर्ट है उसमें भी गन्ने के दाम के बारे में क्या नीति निश्चित की जाय इसके बारे में उन्होंने कोई तोवज्जह नहीं दी। मैं कहना चाहता हूं कि इस देश के करोड़ों किसान जो गन्ना बोते हैं जिस पर वह पैसा लगाते हैं, बीज डालते हैं, मज़दूरी करते हैं, उसके बाद खाद देते हैं, पानी देते हैं, उस गन्ने का न्यूनतम मूल्य भी उन्हें नहीं मिलता तो उन्हें बड़ी निराशा होती है। आज इस सदन को और सरकार को यह सोचना पड़ेगा कि आखिर किसान जो गन्ना पैदा करता है क्या उसको उचित मूल्य नहीं मिलेगा? क्या जो कपास पैदा करता है उसको उचित मूल्य नहीं मिलेगा? किसान जो पैदा करता है उसका उचित मूल्य उसको नहीं मिलेगा? सरकार के कहने के मुताबिक और सरकार की नीतियों का परिपालन करने के लिए जो वह ज्यादा पैदावार करता है उसका

उसे अगर उनको मुनासिब दाम नहीं मिले तो उत्पादन का क्या हाल होगा ?

मैं अपने एक क्षेत्र में जहां दो चीनी मिलें हैं एक सभा में गया था । वहां के हमारे किसान जो कि उर्दू जानने वाले हैं उन्होंने मेरा स्वागत किया, बड़ी भारी सभा हुई और उन्होंने इकबाल का एक शर पढ़ा । मैं उस शेर को इसलिए पढ़ना चाहता हूं कि आप यह समझें कि आज किसान के दिल में, उत्तर प्रदेश और बिहार के तथा सारे हिन्दुस्तान के गन्ना पैदा करने वाले किसान के दिल में क्या है ? उनकी भावना के साथ किस तरह से आज हम और आप शिरकत करते हैं । यह शेर बड़ा मौजूं है । लेकिन यह सही बात है कि आज उत्पादन का युग है, अनुशासन का युग है, आपातकालीन स्थिति है, हम आज किसान को कुछ कह नहीं सकते । वह शेर इस प्रकार है :

जिस खेत के दहका को मयस्सर न हो रोटी ।

उस खेत के हर खोशाओ गन्दुम को जला दो ।।

मैं कहना चाहता हूं कि आज स्थिति क्या है ? यह ऐग्रीकल्चरल प्राइस कमीशन की रिपोर्ट हमारे सामने है । 75–76 सीजन में गन्ने का दाम तय करने के सिलसिले में कि मिनिमम केन प्राइस क्या हो, स्टेच्यूटरी प्राइस क्या हो, इस के लिए कहा गया है कि पिछले साल जो गन्ने का दाम हो उससे एक रुपया ज्यादा स्टेच्यूटरी प्राइस होनी चाहिए । उत्तर प्रदेश में साढ़े चौदरह रुपया गन्ने के किसान को दिया जायगा, पूरब में, साढ़े तेरह रुपया दिया जायगा । मैं निवेदन करना चाहता हूं कि जब आपने यह सिद्धान्त कबूल कर लिया कि हम रिकवरी के बेसिस पर गन्ने का दाम तय करेंगे तो मेरी समझ में नहीं आता कि यह किस तरह तय किया जा रहा है । आज माननीय मंत्री जी मौजूद हैं, मैं बताना चाहता हूं, पूरब की रिकवरी उत्तर प्रदेश में सबसे ज्यादा हो रही है । साढ़े नौ और पौने दस की हो रही है । उनका एवरेज पौने दस पड़ता है । पश्चिम् वालों की और मध्य वालों की पूरब से कम हो गई । वह इसलिए कि किसानों ने वहां पर हाई इल्डिग वेराइटी का सीड लगाया, व गन्ने की फसल को ज्यादा पैदावार दी, उनका शुक्रोज बढ़ाया, मौसम का और तमाम चीजों का ख्याल रखा । लेकिन उन किसानों का दाम सवा बारह रुपये तय हुआ है और पश्चिम में सवा तेरह रुपये दाम तय हुआ है । पंजाब की सरकार ने 14 रुपये 35 पैसे अपने यहां गन्ने का दाम तय किया है । वहां साढ़े आठ और पौने नौ की रिकवरी है । उस पर 14 रुपये 35 पैसे दाम तय किया गया है और हरयाने में क्या रिकवरी है ? चन्द मिलें चलती हैं, उनकी रिकवरी आज क्या है ? पौने 9 की रिकवरी है । दक्खिनी हिन्दुस्तान की सभी मिलों में, जो हमारे कोआपरेटिव सेक्टर के लोग हैं, जो मिल भी चलाते हैं, उत्पादन भी करते हैं उनकी रिकवरी 10 के करीब पड़ती है । और आज वहां पर गन्ने का दाम क्या है ? गुजरात में किसानों को गन्ने का दाम क्या मिलता है ? मिनिमम केन प्राइस 14 रुपए क्वींटल से कम नहीं मिलती है किसी फैक्टरी में । आज 18 रुपए व 22 रुपए तक दाम मिलता है । फिर मैं जानना चाहता हूं कि वह कौन सी एकोनामिक्स है जिसको तहत आज सवा 12 रुपए और सवा 13 रुपए उत्तर प्रदेश में और बिहार में गन्ने का दाम तय किया गया है ? यह एकोनामिक्स मेरी समझ में नहीं आई ।

मेरे पास कुछ आंकड़े मौजूद हैं कि बिजली का दाम कितना बढ़ा, खाद का दाम कितना बढ़ा और पानी का दाम कितना बढ़ा । इसके कुछ आंकड़े मेरे पास हैं जो मैं आपके सामने रखना चाहता हूं । 1–1–1973 को डीजल आयल का दाम 708.47 के एल था जोकि 1–12–1975 को बढ़कर 1094.89 के एल हो गया । यह उस डीजल के दाम बढ़ गए जिसके द्वारा हम अपना पंपिंग सेट चलाते हैं और गन्ने की सिंचाई करते हैं । हमारे पास इरीगेशन के भी दाम हैं, कैनाल से जो इरीगेशन होती है । मैं आपको बताना चाहता हूं

[श्री नरसिंह नारायण पांडे]

पंजाब में इरीगेशन के क्या रेट हैं। पंजाब में फी हेक्टेयर दाम जो पड़ता है वह 66 70 से लेकर 82 30 तक होता है। हमारे उत्तर प्रदेश में 1971 में जो 39 60 था वह आज बढ़कर 148 रुपए हो गया है। इसी तरह से हमारे पास और भी बहुत सी फीगर्स हैं, आंध्र की और दूसरी जगहों की है लेकिन मैं उनको बताकर सदन का समय नष्ट नहीं करना चाहता। आंध्र में जो इरीगेशन कैनाल से होती है उसका रेट 22 50 रुपए प्रति एकड़ पड़ता है। बिहार मे 18 से 28 रुपए पडता है। हरयाणा मे 13 50 से 16 50 पडता है। महाराष्ट्र मे 120 से 180 पडता है। और उत्तर प्रदेश मे 10 से 40 रुपए पडता है। पंजाब मे 13 50 से 16 65 पडता है। यह आपके आंकड़े हैं जोकि पानी के सम्बन्ध मे हैं।

इसके बाद आप खाद के आंकड़े लें। यूरिया जिसमे 46 परसेंट नाइट्रोजन है वह 1971 में 923 रुपए पर टन थी जोकि 1-6-1974 को दो हजार रुपए पर टन हो गई। इसी प्रकार से कैलसियम अमोनियम नाइट्रेट जिसमे 26 परसेंट नाइट्रोजन है उसका दाम 575 से बढ़कर 1145 रुपए हो गया। 25 परसेंट नाइट्रोजन जिसमें है उसका 1971 मे जो दाम 545 रुपए था वह बढ़कर 1095 हो गया। इस प्रकार से फर्टिलाइजर के दाम बढ़े हैं।

श्रीमान, मेरे पास जो बातें ISMA के नुमाइन्दों ने डेवलपमेंट कौंसिल की मीटिंग मे कहा था उद्धृत कर रहा हूं। इसकी प्रोसीडिंग्ज मेरे पास हैं। जो शुगर मैगनेट्स हैं, जो मिल मालिक है उन्होंने पिछले साल कहा था :

"The National Federation of Co-operative Sugar Factories called upon the industry and the Government to spare no efforts in achieving the target of forty-five lakh tonnes of sugar production in the year 1974-75."

इसके लिए इंडियन शुगर मिल्स एसोसिएशन ने कहा

"The Council discussed at length the sugar and sugarcane policy for the season 1974 75. The Indian Sugar Mills Association urged the Government to fix a remunerative price for sugarcane and recommended a price of about Rs 12 50 per quintal of cane."

यह शुगर मिल्स एसोसिएशन की जो नेशनल डेवलपमेंट कौंसिल है उसने पार साल जो कहा वह मैं आपके सामने रखना चाहता हूं जिसमे उन्होंने कहा कि पिछले साल गन्ने का दाम कम से कम 12 50 होना चाहिए था और इस साल तो जैसा मैंने अर्ज किया सारी चीजों के दाम बढ़ गए हैं।

एग्रीकल्चर प्राइस कमीशन कहता है—पिछले साल के मुकाबले एक रुपया गन्ने के दाम मे बढ़ोत्तरी होती है। अगर इस स्टेटिस्टिक्स को सही मानें तो आज 14 रुपये 50 पैसे का भाव हम को मिलना चाहिये। लेकिन पिछले साल हम को यह भी कहा गया था कि अगर फ्री मार्केट में शुगर प्राइस 400 रुपये क्विंटल होगी तो 14 रुपये 50 पैसे मिनिमम शुगर केन प्राइस देंगे। आज बाजार मे फ्री शुगर का भाव क्या है? 450 रुपये क्विंटल का भाव रिटेल मे है और थोक मे 400 रुपये से 425 रुपये है। तब फिर मैं पूछना चाहता हूं कि कौन सा जस्टिफिकेशन है जिसके आधार पर हम को यह भाव दिया गया। आज पानी का दाम बढ़ गया, बिजली का दाम बढ़ गया, फर्टिलाइजर का दाम बढ़ गया—यह ठीक है कि इधर उस का दाम कुछ घटा है, लेकिन पिछले साल की फसल पर यह लागू नहीं होता है—सब चीजों के भाव,

बढ़ गये। इण्डियन शुगर मिल एसोसियेशन ने अपनी मीटिंग मे कहा था कि वह 14 रुपये पचास पैसे भाव तब होगा जब हम को फ्री मार्केट मे शुगर का दाम 400 रुपया मिले। आज वे चार सौ रुपये से साढ़े चार सौ रुपये का भाव पा रहे हैं, इसके अलावा उन को बहुत सारी रिलीफ दी जा रही है—मैं उन तमाम रिलीफो को अलग से गिनाऊंगा जो पिछले पांच छ सालो से इन शुगर मैगनट्स को दी गई है, अगर उन को टोटल करे तो 200 करोड रुपये से कम नही होगी। तब फिर मैं पूछना चाहता हू—वह कौन सी इकानामिक्स है, कौन सी स्टेटिस्टिक्स है, कौन सी पोलिटिक्स है, जिस के बल पर आज गन्ने का दाम सवा बारह रुपये से सवा तेरह रुपये घोषित किया गया है।

श्रीमन्, पिछले 7 दिसम्बर को माननीय खाद्य मंत्री जी और मिलमालिकों तथा हम सब लोगो की मीटिंग लखनऊ मे हुई थी उस मे मिल मालिको ने इस बात को मान लिया था कि गन्ने का भाव साढे चौदह रुपये सही है, लेकिन उन्होने यह कहा था कि क्रेडिट स्कीम पालिसी को ठीक किया जाय, लेवी शुगर प्राइस को बढाया जाय। लेवी शुगर प्राइस पर तो अभी आऊगा—लेकिन क्या आप जानते है कि कास्ट कैसे कैलकुलेट होती है, लेवी शुगर प्राइस का कास्ट फिक्सेशन कैसे होता है। मेरे पास रिपोर्ट है—आप देखे—गवर्नमेंट ने पास किया था कि जब इण्डस्ट्री मे मुनाफा नही है तो 8 13 परसेंट का जो बोनस है वह इन्कलूड नही किया जायगा या दिया नही जायेगा, लेकिन जब हमारे यहा लेवी शुगर की कास्ट निकाली गई तो उस मे इस 8 13 परसेंट के बोनस को भी जोड दिया गया है। उन एक्सपर्ट्स ने टैरिफ कमीशन के मुताबिक दाम तय किया मेरे पास टैरिफ कमीशन की रिपोर्ट है— मैं उस मे से उद्धृत करना चाहता हू—एक्चुअल कास्ट आफ प्रोडक्शन निकालने के लिये उस मे दस-बारह बातो की तरफ तवज्जह दिलाई गई है—ये दस-बारह बातें कास्ट तय करने के लिये जरूरी हैं जिस में आपकी 8.13 परसेन्ट की बोनस की रकम को भी इन्क्लूड किया गया है। और वह लैवी का 8.13 बोनस को शामिल कर जो भाव आता है मैं जानना चाहता हू मंत्री जी के पास इस का कौन सा जबाब है। टैरिफ कमीशन नें किस आधार पर इस चीज को कैलकुलेट किया है। यह तो हुआ कास्ट के बारे में। कृपया Price Policy on Sugarcane for 1975–76 का पेज 122 पर देखे। कास्ट किस तरह से की गई है। सिर्फ उसी के कास्ट का सवाल नही है, और जो मिसलेनियस बाते रखी गई हैं डेप्रीशियेशन से या रिजर्व मे, केन ट्रासपोर्ट चार्जेज, सीलिंग, इम्पैक्शन आदि इस पर भी टैरिफ कमीशन ने अपनी राय दी है। मैंने कैलकुलेट किया है कि 23 से लेकर 25 परसैंट जो कास्ट रखी गई है लैवी की शुगर कास्ट के ऊपर यह अधिक कास्ट है और यह किसी भी तरीके से लैवी शुगर प्राइस को तय करने के समय नही लेना चाहिये। इसलिये मैं कहता हू कि आज जो यह कौस्ट रखी गई है इस का मतलब यह होता है कि लैवी शुगर प्राइस भी जो आज तय की गई है यह एक यूनीफार्म प्राइस नही है। अभी मंत्री जी "इक्वैलाइजेशन फंड" बिल लाये थे जिस के मुताबिक 40 करोड रु० आयेगा। हुआ यह कि सुप्रीम कोर्ट मे मिल मालिकान गये और वहा पर उन्हीं ने कहा कि लैवी शुगर प्राइस जो तय की गई है यह एप्रोप्रिएट नही है। यह ज्यादा है और हमारी रिकवरी ठीक नही है, हमारी मैनुफैक्चरिंग कौस्ट ज्यादा है। कुल ही मिल मालिक कोर्ट मे गये। सुप्रीम कोर्ट ने यह तय किया कि लैवी शुगर प्राइस ठीक नही तय की गई है। और यह ज्यादा तय की गई है। इस के बेसिस पर 40 करोड रु० उन मिल मालिको मे जो कोर्ट मे गये उन की चीनी के ऊपर आपने निकाल लिया। लेकिन और जो 238 चीनी मिलो के मालिक है उन का पैसा कहा गया? वह यूटिलाइजेशन

श्री नाथूसिंह [illegible] :

फंड के खाते में या कंज्यूमर या केन ग्रोवर के इंटरेस्ट में काम आयेगा, यह बात मंत्री जी ने साफ नहीं की। क्योंकि यह तो उन्हीं पर लागू है जो सुप्रीम कोर्ट और हाई कोर्ट में गये। जो नहीं गये उन के ऊपर क्यों नहीं लागू होता है ? और अगर लागू होता है तो उन पर भी लागू होना चाहिए, "इक्वेलाइजेशन फंड" बनाना चाहिये। उस पैसे को चीनी उत्पादन बढ़ाने पर खर्च करना चाहिये क्योंकि पांचवी योजना में आप ने 65 लाख टन से 70 लाख टन का टार्गेट रखा है। इस स्थिति को मंत्री जी को समझना चाहिये। महाकोस्ट जो है उसी को देखें तो पायेंगे कि 23 से 35 परसेंट तक लेवी शुगर का दाम अधिक बढ़ाया गया। और फिर आज मिल मालिकान यह कहते हैं कि 35 परसेंट उन को भी मार्केट में बेचने को दे दी जाये। आज खुले बाजार में चीनी 4 50 रु० से लेकर 8 रु० प्रति किलो के हिसाब से बिक रही है, और मिजोरम में 7 रु० से 9 रु० तक चीनी बिक रही है।

अब आप खोइया का भाव देखिये कि वह 11 रु० के हिसाब से बिक रहा है। मेरे पास "नव भारत टाइम्स" की कल की खबर है जिस में लिखा है कि यहां खोई का मूल्य गन्ने के मूल्य से लगभग ड्योढ़ा है। क्रशरों पर गन्ने का मूल्य 8 रु० मिल रहा है, जब कि खोई की कीमत 11 और 12 रु० है। इस वर्ष सिऊहारा शुगर मिल द्वारा कम गन्ना उठाने के कारण कृषकों को उनके गन्ने का उचित मूल्य नहीं मिल रहा है। यह 4 फरवरी को अखबार की कटिंग है। 11 रु० में खोई बिक रही है। सीरा जो 1 रु० था आज 6 रु० में बिक रहा है और खाडसारी का सीरा और ज्यादा में बिक रहा है। बहुत सी मिलें खोई नीलाम कर रही हैं। अखबारों में इसके इश्तहार दिए जा रहे हैं। यह कहा जाता है कि मालेसिस के दाम बढ़ गए हैं। पानी के बढ़ गए हैं, बिजली के बढ़ गए हैं, सब चीजों के बढ़ गई हैं। मगर किसान कहता है कि उसकी पैदावार वाले गन्ने के दाम दो तो. कहा जाता है कि नहीं, इसका लेवी शुगर प्राइस पर असर पड़ेगा। क्या इस पर आपने सारी स्थिति पर विचार किया है ?

कपास अधिक पैदा हुई तो एक दम मार्किट डाउन आ गई। चावल अधिक हुआ, सपोर्ट प्राइस के नीचे गया तो आप कुछ नहीं करते, गेहूं अधिक पैदा हुआ और सपोर्ट प्राइस के नीचे आ गया, बाजार में इफरात हो गई तो आपने कुछ नहीं किया। कैसी आपकी मूल्य नीति है और किस आधार पर यह तय होती है समझ में नहीं आता है।

आप देश में चीनी का उत्पादन बढ़ाना चाहते हैं। लेकिन आप देखें कि कैसी लूट मची हुई है। खांडसारी मिलें हमारे यहां लगी हुई हैं। आप जानते हैं कि गन्ना ऐसी चीज है जो रोक कर रखी नहीं जा सकती है। सात आठ रुपये गन्ने का दाम वे देती हैं। इस आपातकाल में कोई किसान मजदूर हिम्मत नहीं कर सकता है कुछ करने की, एक ही चीज उसके सामने आज रखी गई है कि उत्पादन बढ़ाओ। लेकिन जब खांडसारी मिलें सात आठ रुपये में गन्ना ले रही हैं तो क्या यहां भी गन्ने के दाम नहीं बढ़ने चाहियें। मंत्री महोदय भी उसी एरिया से आते हैं। क्या खांडसारी यूनिटों के ऊपर भी आपने कोई पाबन्दी लगाई है, यह मैं आप से जानना चाहता हूं। मैंने पिछले सेशन में कहा था कि आप गन्ने के बारे में, खांडसारी के बारे में, गुड़ के बारे में कोई एक नीति बनाएं। आज दुनिया में बन सिक्सटीथ परसेंट केवल चीनी की खपत हो पाती है। चार सौ पाउंड से ले कर साढ़े पांच सौ पाउंड तक चीनी के दाम अन्तर्राष्ट्रीय मार्किट में है। मैंने कहा था पिछले सेशन में कि खांडसारी को आप आम लोगों की जरूरतें पूरा करने के लिए दें, लोगों को इस्तेमाल के लिए खांडसारी दें, राशन शाप्स से दें, गवर्नमेंट शाप्स से इसे सस्ते दामों पर दें और चीनी का जहां तक

कमवाया है 36 परसेंट। मैं से एक परसेंट भी आप कम न करें। इससे इनवेस्टमेन्ट कैटेन होगी और पैट्रोल बिल का आप पेमेंट कर सकेंगे। चीनी की दुनिया के दूसरे बाजारों मे भेज कर करके फारेन एक्सचेंज आप अर्न कर सकते हैं जिससे इंडस्ट्रियलाइजेशन में मदद मिल सकती है, हमारी इकोनोमी मजबूत हो सकती है और मैंने यह भी कहा था कि एक मिलियन टन अगर आप पेट्रोल का आयात करते हैं और उसके बदले में एक मिलियन टन शूगर का निर्यात करते हैं तो पेट्रोल बिल का पेमेंट आपका उसी मे से हो जायगा। मैं जानना चाहता हू कि क्या आपने इस पर विचार किया है और किया है तो किस निष्कर्ष पर आप पहुंचे हैं। 1930 से ले कर आज 1976 तक मैं जानना चाहता हू कि कौन सी चीनी मिलों ने एक पैसा भी केन डिवेलेपमेंट पर खर्च किया है। किसान स्वय अपना केन डिवलेप कर रहा है, किसान स्वय अपनी थोडी सी जमीन मे गन्ना पैदा कर रहा है। हमारे प्रदेश मे हाहाकार मची हुई है। मेरे क्षेत्र मे चार चीनी मिलें हैं। मैं जब अपने क्षेत्र मे जाता हू तो सब से पहले अगर किसी का मुझे सामना करना पडता है तो गन्ना किसान का करना पडता है और इकबाल का शेर जो मैंने आपको सुनाया है, यह उस के बिल्कुल उपयुक्त है। मंत्री जी बैठे हुए हैं। बाहर मुझ से कहते है कि तुम सैंट परसेंट ठीक बात करते हो। ये मंत्री हैं, इनकी मजबूरिया हो सकती है. मै मानता हू। हम आपस मे लडते भी हैं। ऐसा नही है कि नही लडते हैं। लेकिन मैं कहना चाहता हू कि अगर गन्ने तथा चीनी के उत्पादन को बढाना है तो हम को कोई यूनिफार्म नीति गुड, खंडसारी और चीनी के बारे में जानी बनानी पडेगी।

भार्गव कमीशन की रिपोर्ट आज तक बन्द है, उस पर अमल नही किया गया है। हमसे कहा गया कि अभी नेशनलाइजेशन के बारे में बात न करो। हमारी प्रधान मंत्री ने कहा, हम उनकी इज्जत करते हैं, वह हमारी रहनुमा हैं, वह आर्थिक स्थिति को जानती हैं, लेकिन मैं कहना चाहता हू कि आज जिस स्थिति मे हम खडे हो गये हैं, उसमे हमारा इमोशन उन गन्ना किसानों के साथ हो गया है। वह हमारी मीटिंग में आते हैं और कहते हैं कि हमारे गन्ने का दाम बाकी है। अभी माननीय मंत्री ने दिसम्बर तक के आकडे दिये कि कितने करोड रुपया गन्ने का बाकी है।

मेरे पास 37 मिलो के आकडे हैं कि 1959-60 और 1960-61 मे प्राफिट शेयरिंग पालिसी को लागू न करने की वजह से उन पर कितना रुपया बाकी है। 21 दिसम्बर को उत्तर प्रदेश के कृषि मंत्री श्री वीरेन्द्र वर्मा ने उन आकडो को पेश किया है उनको मैं यहा पेश कर के सदन का समय नही लेना चाहता हू।

आज किसान की क्या हालत है? क्या आपने दुनिया के किसी भी मुल्क मे यह देखा है कि जो किसान गन्ना पैदा करता है उसको यह कहा जाता है कि इसी रिजर्व एरिये मे इस मिल को माल बेचना है। हमारे ऊपर पाबन्दी है कि हम अपने गन्ने को एक क्षेत्र के बाहर नही ले जा सकते है और हमे एक ही चीनी मिल को देने के लिये बाध्य किया जाता है। हम उनसे बार्गेनिंग नही कर सकते हैं। हमको बाध्य किया जाता है कि गन्ने के दाम तय होने पर हम अपना गन्ना उन मिलो मे ले जायें। अब इस साल 30 दिसम्बर को दाम तय हुआ और पिछले साल 7 दिसम्बर को तय हुआ था। चीनी मिलें तब तक नही चलती है, जब तक गन्ने का दाम स्कीज पालिसी, लेवी शुगर पालिसी या

[श्री नरसिंह नारायण पांडे]

उनको बैंकों से जो कुछ मिलता है, वे उसके बारे में सरकार पर काफी दबाव न डाल लें और अपना गंतव्य पूरा न कर लें । अब चिल्लाना शुरु हो गया है कि अब तो बड़ा घाटा हो गया है, गन्ने का भाव सवा 12 रुपये और सवा 13 रुपये तय हो गया है ।

श्री जगन्नाथ मिश्र : प्वाइन्ट आफ आर्डर ।

जिस विषय पर श्री पांडे भाषण कर रहे हैं, सभी जानते हैं कि वह उसके विशेषज्ञ हैं और उसके बारे में बड़ी जानकारी रखते हैं । मैं जानना चाहता हूं कि दाम निर्धारित हो किस का—उस चीज का जिसका उत्पादन हो । आज हमारे देश में गन्ने की ऐसी स्थिति हो गई है, मिल मालिकों ने ऐसी स्थिति पैदा कर दी है कि उसका उत्पादन ही बन्द हो गया है । जो भी उत्पादन हुआ है, उसका पेमेंट नहीं हुआ है । इसका उदाहरण मैं अपने क्षेत्र की शुगर मिल के बारे में बताता हूं जिसे मैनेजमेंट ने बन्द कर दिया है, हजारों आदमी बेरोजगार हो गये हैं. . . (व्यवधान) ।

MR. CHAIRMAN: There is no point of order.

श्री नरसिंह नारायण पांडे : मैंने अभी बताया कि आज गन्ना ही एक ऐसी चीज है, जिसका पैसा नहीं दिया जाता है । 15 दिसम्बर, 1975 को मेरे ही एक सवाल के जवाब में मंत्री महोदय ने बताया कि 22.74 करोड़ रुपया केवल उत्तर प्रदेश के चीनी मिल मालिकों पर बाकी है ।

पिछली बार भी इस सदन में गन्ने पर बहस हुई थी तो बताया गया था कि सारे देश में मिल मालिकों पर कितना पैसा बाकी है । हमारे पास जो लोग आते हैं, वे कहते हैं कि अब की बार करोड़ों रुपया बाकी होगा, हम देने की तादाद में नहीं हैं, क्योंकि पहले गन्ना का भाव सवा 12 रुपये और सवा 13 रुपये तय कर दिया गया है ।

इसीलिये भार्गव कमीशन ने कहा था कि जब कंज्यूमर फार्मर का इन्ट्रेस्ट खत्म हो, तो उस समय सरकार को चीनी मिल को अपने अधिपत्य में कर लेना चाहिये । इस समय चीनी के उत्पादन को बढ़ाने के लिये, उसमें आत्मनिर्भर होने के लिये उसे एक्स्पोर्ट करने के लिये आज यह समय आ गया है । मैं आपके और माननीय मंत्री जी के द्वारा प्रधान मंत्री से निवेदन करूंगा कि अब कोई इकनामिक्स नहीं रह गई है, अब कोई सोचने समझने की बात नहीं रह गई है कि इसका अधिग्रहण न किया जाये । तभी गन्ना किसानों का मामला तय होगा, अन्यथा यह मामला तय होने वाला नहीं है ।

पूर्वी उत्तर प्रदेश में रिकवरी ज्यादा है । जब सरकार ने लिंकिंग और रिकवरी के फार्मूले को माना है, तो उसने जो दाम पश्चिमी उत्तर प्रदेश और मध्य प्रदेश में तय किये हैं, पूर्वी उत्तर प्रदेश के दामों को कम-से-कम उनके बराबर लाना चाहिये । मैं अपने क्षेत्र और अपने प्रदेश की ओर से यह मंत्री महोदय से निवेदन करना चाहता हूं । मुझे आशा और विश्वास है कि वे इस पर विचार करेंगे और इस बारे में अपनी कोई निश्चित नीति बतायेंगे ।

SHRI H. M. PATEL (Dhandhuka): Mr. Chairman, Sir, I would like to begin by congratulating Mr. Pandey who has just finished his speech for his mastery over the subject on which he spoke so admirably and I am also in entire agreement with what he had to say. He did not however go into the question of cooperative mills/factories run by the cooperative societies. What is the position of the farmers there? A discriminatory policy

which is being followed by Government in fixing the price of levy sugar. As you know, Sir, 65 per cent of the production of factories is to be surrendered to government as levy sugar and 35 per cent can be sold by them in the open market. One would have imagined that levy sugar prices would be fixed on the basis of something that is clearly recognisable; something with which everybody would agree gives a fair price. It is not clear on what basis the levy sugar price is fixed. Is it fixed on the basis of cost of production of sugar? Sugarcane prices are closely linked with the price of sugar. You will see that in the case of factories run by cooperative societies they pay for the sugarcane a reasonable price to the growers, a price to which they are entitled to unlike what happens in other areas where even this does not happen. Now, as I said, the discrimination is exercised in fixing the levy price of sugar will be clear from the figures which I shall just read out to you. In the case of Gujarat, in 1972, the price was Rs. 150/-; in 1973 the price fell to Rs. 145/; during 1974 and 1975, the price rose to Rs. 151, and now the present price is Rs. 124/-. For the same period, you will see, for instance, in South Bihar, in 1972 the price of sugar was Rs. 150/- which was same as for Gujarat. To-day, it is Rs. 442/-. In North Bihar where, in 1972, it was only Rs. 150, it is Rs. 224/- to day; in Central U.P., for instance, the price was Rs. 150 in 1972 and to-day it is Rs. 172/-; in Rajasthan again, in 1972, the price was Rs. 150 but to-day it is Rs. 195|-, in Andhra Pradesh, it was Rs. 150 in 1972 but it is Rs. 118 to-day. It is difficult to understand what justification there can be for such an extra-ordinarily wide variation. If Rs. 150 was a reasonable price in 1972 everywhere, on what ground, can they justify today that the cost of production in the different zones has varied so widely? The prices of inputs to which the hon. member Shri Pandey referred have gone up steeply. And you might say that everywhere the price of every single item of input has gone up to a more or less similar extent

What there can be the justification for these extremely wide variations? Take the co-operative factories. The hon. Minister must be aware—I am speaking only for Gujarat—that in Gujarat there is one factory which has today an accumulated loss of Rs. 167 lakhs and its capital of Rs. 120 odd lakhs is entirely wiped out by this accumulated loss. Today the price you have fixed for levy sugar is so low that even allowing for the profits which they will be able to make on the 35 per cent of the production in free market, they will be losing something like Rs. 40 per quintal, which means that their accumulated loss will go up further and they will cease to exist. There the growers will suffer not as growers but as investors who have put their money into this co-operative factory. I do not wish to dwell more on this point.

SHRI SHAHNAWAZ KHAN: What price are they paying to the growers?

SHRI D. D. DESAI (Kaira): Fourteen rupees.

SHRI H. M. PATEL: They are required to pay whatever they have agreed to pay and they are paying it. The difference between UP and Bihar here is that in UP and Bihar, the grower does not get the price to which he is entitled on the basis of the levy price, whereas in Gujarat they do get it.

SHRI ANNASAHEB GOTKHINDE (Sangli): In the co-operative sector.

SHRI H. M. PATEL: In Gujarat and Andhra Pradesh it is exactly the same position; so also in the case of Maharashtra.

The point I would like to emphasise is this, that Government should at least ensure that there is no discrimination in the fixation of price of levy sugar. Why should there be any variation? Let Government justify it. It seems to me impossible for you

[Shri H. M. Patel]

to justify this variation. For instance, if a year ago, it was right that the price in South Bihar should be Rs. 183 and in North Bihar Rs. 170, why shculd the price this year be raised for South Bihar to Rs. 442 and to North Bihar only to Rs. 224. There must be some explanation for so large a variation of Rs. 200.

Leave aside other areas. Take, for instance, Karnataka. Where again last year, the levy sugar price was Rs. 160. This year it is Rs. 140. What are the causes which justify a lowering of the price this year? Are the factories in these zone like Karnataka and others really making money and something has improved this year as compared to last year? The reduction in price is, in any case, difficult to justify, anywhere; in certain cases, the lowered price has come down to a level which is totally uneconomic. The whole case has been very exhaustively dealt with by Shri Pandey who has shown, that the price of sugarcane is linked with the price of sugar. There are, of course, other factors which must be taken into acount. And therefore, it is important that Government looks at this question as a whole and do so quickly. Even in studying the Bhargava Report, they have taken so much time. Why is it that they are not able to make up there mind quickly. Having appointed a Commission presided over by a Judge of the Supreme Court and with a membership of experts, when that Report comes to Government, even if it does not fall in line with whatever Government may think, why should Government not be able to make up their mind? In any case, how can they justify these widely varying prices that they have fixed for levy sugar? Why should they vary to the extent of Rs. 118 in Andhra Pradesh and Rs. 442 in South Bihar? And in between the variation in prices for other Zones is also such that it is difficult to understand that there is any rational reason underlying it. I think Government must give full thought to the points that are being urged in regard to their policy. I do not mind if they wish to favour anybody, but I do mind if they are fixed at levels which are unfair to the grower of sugarcane.

I see no justification for this when you keep saying that you want to give the highest priority to the agricultural sector. If the agricultural sector is to prosper then the first and most important thing to ensure is that the farmer gets a fair and reasonable price for what he produces. That fair and reasonable price for what he produces is necessarily linked with the price of the inputs that he uses and the output or productivity per acre and all the rest of it. In the case of sugarcane—there are other commodities also like this—he has been getting a raw deal. At least during this Eemegency when the Government has chosen to give the highest priority to the agricultural sector's development—having regard to the fact that the agricultural sector contributes fifty per cent of our national product—I think the fair thing to do would be to see that the grower gets a reasonable price—and the emphasis in the case of sugarcane growers of U.P. and Bihar is on their actually getting a reasonable price. They have been having an extraordinarily raw deal.

MR. CHAIRMAN: I am getting chits from hon. Members seeking permission to participate in the discussion. This is a discussion under rule 193 and under rule 195 only Members who had given previous intimation to the Speaker will be permitted to speak. Therefore, intimation slips which had been passed on to the Chair after the discussion had started will not be entertained and I request hon. Members to kindly refrain from sending any more chits. Besides there is no time.

SHRI G. VISWANATHAN: (Wandiwash): If the House agrees, we can do that.

MR. CHAIRMAN: We will have to suspend the rules then.

श्री ई॰ वी॰ विखे पाटिल (कोपरगांव) : सभापति जी, आपने मुझे बोलने का अवसर प्रदान किया उसके लिए आपको धन्यवाद। पंडित जी ने और पटेल साहब ने जो कहा मैं उसका समर्थन करता हूं। मेरे निर्वाचन क्षेत्र में 12 चीनी मिलें हैं जिसमें 5 निजी मिलें हैं और 7 कोआपरेटिव सेक्टर में हैं। मैं ऐसा अनुभव करता हूं कि गन्ने के दाम का झगड़ा बहुत दिनों से चल रहा है। चीनी मिलें जबसे चली हैं तभी से यह झगड़ा भी चल रहा है। जिस साल गन्ना ज्यादा पैदा होता है उस साल किसानों को गन्ने का दाम कम मिलता है। उस साल चीनी मिल मालिक किसानों को ज्यादा दाम देना नहीं चाहते हैं। जिस साल गन्ना कम बोया जाता है उसके दूसरे साल चीनी मिल मालिक कांपिटीशन-में किसानों को ज्यादा दाम देते हैं। उस साल कोई झगड़ा नहीं रहता। देश की गन्ने के सम्बन्ध में हरएक साल की यह स्टोरी है। इसलिए मैं समझता हूं जब तक इसके बारे में लांग टर्म प्लानिंग नहीं होगी तब तक यह कठिनाई दूर नहीं हो सकती है। हमारे देश में शुगर की एक बेसिक इंडस्ट्री है। गए साल जो इस देश से एक हजार करोड़ का एक्सपोर्ट हुआ उसमें 375 करोड़ की चीनी एक्सपोर्ट हुई। यदि आप इस बेसिक इंडस्ट्री को चलाकर अपने एक्सपोर्ट को बढाना चाहते हैं तो उसमें जब तक किसानों को गन्ने का उचित दाम नहीं मिलेगा तब तक गन्ना कैसे पैदा होगा और जब गन्ना पैदा नहीं होगा तो उसमें जैसे आज जगलरी चल रही है, अप ऐंड डाउन चलता है उससे इस देश की एकोनामी सफर होती है। जब आप टेक्सटाइल का सामान एक्सपोर्ट करना चाहते हैं तो टेक्सटाइल इंडस्ट्री को कैश सब्सीडी देते हैं, फाइनेंशियल कन्सेशन देते हैं लेकिन जब गन्ने के दाम का सवाल आता है तो सरकार में रिजिडिटी आ जाती है। पटेल साहब ने ठीक कहा कि लेवी प्राइस के बारे में कई चीनी मिल मालिक कोर्ट में गए, कोआपरेटिव की मिलें भी गईं जबकि दाम में इतनी डिसपैरिटी है। मिनिस्टर साहब कहेंगे कि कोआपरेटिव्ज ने अच्छे दाम दिए हैं। जरूर दिए हैं लेकिन क्यों दिए हैं?

बात ऐसी है कि कोआपरेटिव के मेम्बर्स से कम से कम 20 से 25 रुपया डिपाजिट लेते हैं, इस तरह से रूरल मोबिलाइजेशन और सेविंग हो रहा है, उन्होंने करोड़ों रुपए के शेयर लिए हैं। महाराष्ट्र में 35 कोआपरेटिव शुगर फैक्ट्रीज का कुल मिलाकर ऐसेट्स 250 करोड़ रुपया है---यह कैसे इकट्ठा हुआ है? इस तरह से एकट्ठा हुआ है कि आज वहां पर किसान खुद चीनी फैक्टरी चला रहा है, उसको गन्ने का ठीक दाम मिलता है, जिसकी वजह से सेविंग-मोबिलाइजेशन बहुत अच्छा हुआ है। इनके मुकाबले में ये चीनी मिल मालिक किसान को कभी भी सही दाम नहीं देते हैं, बल्कि इन लोगों ने चिल्लाना शुरू कर दिया है कि को-आपरेटिव सैक्टर देश में घाटा पैदा कर रहा है, ये लोग इन्कम टैक्स पे नहीं करते हैं, इनके कारण नेशनल रिसोर्सेज में घाटा आ रहा है। मैं आज हिम्मत के साथ इस बात को आपके सामने कहना चाहता हूं कि हम न केवल एक तरफ किसानों को गन्ने का सही दाम देते हैं, बल्कि इन्कम टैक्स भी पे करते हैं दूसरी सुविधायें भी देते हैं। ये मिल मालिक, हमारे खिलाफ गलत बातें देश में फैलाने की कोशिश करते हैं।

आपको याद होगा---जिस दिन पार्शियल-डी-कन्ट्रोल का फैसला हुआ था, उसी दिन मिनिस्टर साहब ने यहां पर बयान दिया था--- मिनिमम प्राइस से ज्यादा दाम इन चीनी मिल मालिकों को गन्ने का देना चाहिये, क्योंकि अब उनको पहले से ज्यादा नफा होगा और इसका लाभ किसानों को भी मिलना चाहिये। लेकिन मुझे दुख के साथ कहना पड़ता है कि किसी भी मिल मालिक ने किसान को ज्यादा दाम नहीं दिया, जब कि उनको फ्री-सेल से काफी

[श्री ई० वी० विखे पाटिल]

फायदा होता है, उनका माल काले बाजार में बिकता है । मैं आपसे निवेदन करना चाहता हूं—भार्गव कमीशन ने भी अपनी रिपोर्ट में कहा था कि फ्री शुगर की सेल से जो रियलाइजेशन होगा उसका 50 परसेन्ट ग्रोवर को और 50 परसेन्ट इण्डस्ट्री को मिलना चाहिये—लेकिन इन चीनी मिल मालिकों ने इस बात को भी नहीं माना। सरकार कहती है कि गन्ने का दाम तय करना राज्य सरकार का काम है, भारत सरकार तो सिर्फ गाइड लाइन्ज दे सकती है, गन्ना खरीदना स्टेट सैक्टर में आता है—यदि यह राज्य सरकार का विषय है तो मैं पूछना चाहता हूं कि इन दोनों के बीच में किसान को क्यों फांस दिया गया है ? इन सब बातों के बारे में आपको सोचना चाहिये ।

मुझे एक बात कहना है—आप ने 40 करोड़ रुपये का फन्ड बनाया है—कन्ज्यूमर के लिये—वह ठीक है । जब ये चीनी मिल मालिक आप के साथ सहयोग नहीं करते, जो पैसा इन को अपनी मशीनों को बदलने के लिये मिलता है, उस रुपये का इस्तेमाल मशीनों के बदलने में नहीं करते तो सरकार इन को टेक-ओवर क्यों नहीं करती । मैं यह सुझाव देना चाहता हूं कि सरकार इन को टेक-ओवर करले और इस फण्ड का रुपया इस काम में इस्तेमाल किया जा सकता है । भार्गव कमीशन ने अपनी रिपोर्ट में कहा है कि हमारे पास इतना पैसा नहीं है कि हम इन को टेक-ओवर कर सकें, मैं कहता हूं कि आप के पास यह फण्ड है, आप इस फण्ड को इस काम में लगा सकते हैं । मेरा यह विश्वास है कि जब तक ये चीनी मिलें मिल-मालिकों के पास हैं, किसानों को न्याय नहीं मिल सकता, वे मिलों में घाटा दिखा रहे हैं, किसानों को पूरा पैसा नहीं देना चाहते हैं । आप को याद होगा—पिछले साल गन्ना कम पैदा हुआ—इन मालिकों ने ज्यादा ज्यादा दाम देकर खरीद लिया और इस तरह से अपने यहां घाटा दिखाया । पिछले साल यू० पी० में जब सरकार ने ज्यादा दाम देने को कहा तो घाटे का सारा दोष सरकार पर लगा दिया कि सरकार ने ज्यादा दाम पर गन्ना खरीदने के लिये बाध्य किया ।

एग्रीकल्चरल कमीशन के बारे में कई सदस्यों ने यहां पर जिक्र किया । अभी पाण्डे जी ने भी बताया कि तमाम इनपुट्स के दाम बढ़ गये हैं—फिर भी कमीशन ने सही दाम दिलाने का प्रयास नहीं किया । मेरा यह कहना है कि एग्रीकलल्चरल प्राइस कमीशन जिस तरह से काम कर रहा है, इसके ढांचे को भी बदलना चाहिये, इस ढांचे से किसान को न्याय नहीं मिलेगा । हम किसानों के लिये बहुत से कानून बनाते हैं, लेकिन किसानों से सम्बन्धित बहुत सी बातों को राज्य सरकार पर छोड़ देते हैं—ऐसा कहने से काम नहीं चलेगा, इस से हमारी पैदावार नहीं बढ़ेगी—हमें इन बातों पर विचार करना चाहिये ।

बोनस का जो मामला चल रहा है—मेरे ख्याल में आगे चल कर बहुत दिक्कत आयेगी । हमारा कोआपरेटिव सैक्टर अपने वर्कर्स को बोनस देना चाहता है, हम को दाम कम मिलेगा, तो भी हम बोनस देंगे, लेकिन ये चीनी मिल मालिक 4 परसेन्ट से ज्यादा नहीं देना चाहते, उलटा कहेंगे कि हम को तो नुकसान हो रहा है। एक तरफ किसान को कम दाम देते हैं, दूसरी तरफ वर्कर को बोनस नहीं देना चाहते—इस तरह से बहुत दिक्कत आयेगी, इस के बारे में सरकार को सोचना होगा । आज एम० आई० एस० ए०, डी० आई० आर० आदि कानून लागू हैं, मेरा निवेदन है कि इन कानूनों को अगर चीनी मिल मालिकों पर भी लगा दो तो यह बिलकुल सीधे हो जायेंगे और चीनी

मिल मालिक कम दाम देते हैं उन के खिलाफ़ सरकार को सख्त कार्यवाही करनी चाहिये। यह लोग अपनी बैलेंस शीट में बहुत मैनिपुलेशन करते हैं जिस को रोका जाना चाहिये।

MR. CHAIRMAN: The time allotted for this discussion is three hours. It means that we will have to end up by 6.30. At 6 O'clock I will call the Minister to reply, and he will continue tomorrow. Since the time is limited, Members may kindly confine themselves to within 5 minutes. And the list is long.

SHRI D. K. PANDA (Bhanjanagar): Mr. Chairman, Sir, on this subject of sugar policy or sugarcane policy, I find for the last four years that there is always a traditional way of getting things done; and always, a traditional answer is forthcoming. There is now absolutely no reason to argue in favour of a remunerative price and on the principles of fixation of price of the cane, because they have already been decided. And it is enacted into an Act; and under the Cane Control Order, the two principles are already fixed, *viz.* income from any alternative crop and secondly, the actual cost of production. And my friend Mr. Narsingh Narain Pandey has correctly said that this has not, as a matter of fact, been observed. In spite of several Questions, Private Members' Resolutions under rules 197 and 184 and other measures taken by Members of Parliament from both the sides, we are still not getting a clear picture, nor a clear answer. I would say that the answer has become traditional. The simple question now is whether, while fixing the price of cane, these two factors are to be taken into consideration and whether all our arguments should be put forth because we consider that the law, as already framed, has to be respected If we have any respect for the law or the provisions of the Cane Control Order, we should stick to it. There is no point for argument. Take, for example, cane arrears. It has now gone up to Rs. 52 crores. It is Rs. 29 crores for 1975-76; and for 1974-75 the arrears have gone up to Rs. 23 crores. Altogether, the cane price arrears have come to Rs. 52 crores. How can this be recovered? There is a Recovery Act already. In how many cases has it been applied? In no case. And in U.P. itself you will find that out of 46 mills, Rs. 18.62 crores are the arrears and in 17 mills, the figure is Rs. 2.77 crores for 1973-74. And there is only one case against one mill. This is the latest figure. What is the meaning? The Recovery Act is already in vogue; but it is not being implemented. Rather, it is being violated. Similarly, the Cane Control Order is there; but it has been violated consistently all these 27 years. Let us now see what action has been taken against these sugar thugs who should immediately to be brought to books, because that is the national cry. Now, instead of taking any action against them,—we need not demand it under this bill; but under Emergency or the MISA we can do it—if you simply follow the policy of persuation, it can never be realized. They always want to make huge profits by looting the cane growers, not only by not paying reasonable prices, but also by keeping with them money to the tune of crores of rupees and not paying the growers in time. Even though under the law it has to be paid within 14 days, it is not being paid. So, why not apply the MISA or DIR against these persons, who are violating the law pertaining to the Cane Control Order?

On 1st November 1975 in answer to a question the Government were pleased to say that they are going to give certain concessions to the very sugar magnates who are having some expansion projects When the cane growers were the worst sufferers because they had to pay a higher price for fertilizer and water, the main inputs for agriculture, the Government were not willing to come forward with

[Shri D. K. Panda]

any measures to help the cane growers. But when the price of machinery and other things have gone up, you say that those who want to expand their unit must be given some concession. At one time these very sugar magnates, sugar barons, who are now coming with a proposal for expansion, they were running their mills below capacity in order to make profits by creating scarcity conditions. Now when they come forward with a proposal for expansion, you want to give them all the facilities. You are increasing the levy-free quota of sugar for them. In the name of expansion, they have been given more and more concessions, as per the recommendations of the Sampath Committee.

I will remind the hon. Minister the seminar of the All India Cane Growers which he attended in December 1975, where almost all the 287 members opined that the only remedy is to see that the arrears are not there, the remunerative price is fixed and the consumers are given some relief. The only way to put an end to all these wrongs is to nationalise the sugar industry, but that is not being done.

Coming to the additional profits, how many of the sugar factories or the sugar barons have come forward to give 50 per cent of their profits to the cane-growers? Is there one such single case? Then, why should the hon. Minister come forward to advocate the cause of the sugar magnates on the pretext that the price of machinery has gone up?

When in 1974 we demanded Rs. 186 per ton of cane, what was the reply? The reply was that if we increase the cane price, then the prices of other agricultural produce would go up. But when the prices of other agricultural products went up, when we demanded a higher price for cane, you said that your effort will be to bring down the prices and so there should be no increase in prices.

Last year they were getting at least Rs. 16.50 per quintal. This year it is far below that. Every year a new argument is being advanced and you do not pay heed to what is being discussed here or to the demands of the cane growers. I hope the hon. Minister will not give his tradition reply. The price which they fix should be a remunerative price. It should not be below Rs. 16.50, which they got last year.

SHRI SHAHNAWAZ KHAN: Last year they did not get Rs. 16.50. In U.P. it was Rs. 13.50; in Western U.P. it was Rs. 14.50.

SHRI D. K. PANDA: They did get it.

SHRI SHAHNAWAZ KHAN: You are making a wrong statement.

SHRI D. K. PANDA: That alone can be called a remunerative price. Secondly, why not a statutory committee of Members of Parliament be constituted for fixation of the cane price since this has been the demand from 1956?

श्री डी॰ एन॰ तिवारी (गोपालगंज) : सभापति, जी यह बहुत ही दुखद बात है, और इसको आयरनी आफ फेट कहेंगे कि जब प्रोडक्शन बढ़ता है, तो दाम नीचे आते हैं और जब प्रोडक्शन कम होता है, तो दाम ऊंचे जाते हैं। हम खेतिहरो को कहते हैं कि अधिक से अधिक उत्पादन करे, लेकिन जब वे अधिक उत्पादन करते है, तो वे देखते है कि उनको कास्ट प्राइस भी नही मिलता है—मुनाफ़े की कौन कहे, उनको उत्पादन का खर्चा भी नही मिलता है। इस स्थिति मे हर गृहस्थ यह सोचेगा कि मैं क्यो अधिक पैदा करू ? जब किसान सरकार के कहने से और अपने फायदे के लिये गन्ना, गेहूं, चावल और जूट आदि चीजो का अधिक उत्पादन करता है, तो उसका दाम कम हो जाता है। इस तरह तो उसको कम पैदा करने में नही फ़ायदा है। ज्यादा पैदा करने में, फ़ायदा

नहीं है। क्योंकि ज्यादा पैदा करने से उसको ज्यादा इनपुट्स लगाने पड़ते हैं और सिंचाई आदि पर अधिक खर्च करना पड़ता है, जिससे उसके उत्पादन की कास्ट बढ़ जाती है। अगर वह कम उत्पादन करेगा तो उसकी लागत कम लगेगी और दाम अधिक मिलेगा।

क्या सरकार ने कभी यह सोचा है कि कोई ऐसा उपाय किया जाये कि जब कोई चीज अधिक पैदा हो तो उसका दाम कम न हों, बल्कि अधिक पैदा करने वाले किसानों को कुछ इनाम मिले ? क्या सरकार ने कभी यह सोचा है कि जो गृहस्थ अधिक पैदा करता है, उसको कुछ इन्सैंटिव दिया जायें, या उसका दाम बढा दिया जाये ? आज शुगर केन मे क्या हो रहा है ? दो बरस पहले जब शुगर केन पैदा हुआ तो मिल मालिकों ने कपींटीशन मे शुगर केन का दाम बढाया। सरकार का दाम कम था लेकिन उन लोगो ने बढाया और वह बराबर कहते थे कि शुगर केन का दाम कम है और गवर्नमेंट को उसे बढाना चाहिये।

जब किसान के इनपुट्स से दाम ड्योढे हो रहे है तो क्या उनके उत्पादन के दाम मे भी कुछ बढ़ोतरी नही होनी चाहिये ? आज खाद, पानी और दूसरे इनपुट्स का दाम बढ गया है। जो सामान किसान इस्तेमाल करते है, जैसे कपडा, लोहा आदि, उन सब का दाम बढ गया है, लेकिन उसके अपने उत्पादन के दाम वही के वही फिक्स किये हुए हैं, जहा वे गत साल थे। यह कहा का न्याय है ?

मिल-मालिक इतना ही नही करते हैं कि वे गन्ने की कम कीमत दे, बल्कि वे नई-नई चीजें बेचते हैं जिससे उनको अधिक फायदा हो। अब वे बगास को भी बेचते हैं। मगर उसको अपने हिसाब में नही दिखाते। पहले किसान चीनी मिलों से प्रैस्ड मड या प्रैस्ड मड मुफ्त ले आते थे। अब उसको भी 2, 4 रुपये क्विंटल पर बेचना शुरु कर दिया गया है और उसका भी हिसाब नही दिखाया जाता है।

अगर सरकार उनका सब हिसाब देखे, तो, पता चलेगा कि वे लोग न मालूम कितना मुनाफा कमाते है। वे लोग न स्टेट गवर्नमेंट को सेल्सटैक्स देते हैं और न इनकम टैक्स देते हैं। अगर सरकार उनका सब हिसाब देखे तो चीनी के दाम कुछ कम किये जा सकेंगे।

आज सब मार ग्रोअर्स पर पडती है। फर्टिलाइज़र, पानी और बिजली आदि के दाम बढ़ गये हैं। लेकिन किसानों को 1972–73 के दाम मिल रहे हैं। इस स्थिति में वे अधिक पैदा करने के लिये कैसे उत्साहित होंगे ? सरकार चाहती है कि देश मे अधिक से अधिक चीनी पैदा हो, ताकि उसको बाहर बेचकर फारेन एक्सचेंज कमाया जा सके। इसके लिये वह किसानों को क्या इन्सेंटिव दे रही है ? सरकार को कोई ऐसा फार्मूला निकालना चाहिये, जिसके अन्तर्गत अगर कोई किसान अधिक उत्पादन करे, तो उसको इन्सैंटिव दिया जाये। आज तो उल्टे उसके उत्पादन के दाम कम कर दिये जाते हैं, या वही रखे जाते है। अगर गृहस्थ को कपड़ा, लोहा और अन्य सामान पहले के दामों पर मिले, तो उसको अपना गन्ना 12½ या 13½ रुपये क्विंटल पर बेचने मे कोई उज्र न होगा। लेकिन आज उसको अपनी ज़रूरत की चीजों के बहुत दाम देने पड़ते हैं। आखिर सरकार किसानो के संबंध में इतनी कोताही क्यों कर रही है कि वह उनके उत्पादन के दाम नहीं बढ़ा रही है ?

[श्री डी० एन० तिवारी]

विभिन्न जोन्स मे दाम में जो फर्क है, उसके बारे में कई माननीय सदस्यों ने कहा है। मुझे उसका कोई औचित्य मालूम नही होता है। मंत्री महोदय को इस तरफ ध्यान देना देना चाहिये।

अब कारखानों के उत्पादन के दाम बढ़ गये है, तो किसान के उत्पादन के दाम क्यों नहीं बढाये जाते है ? क्या इसलिये कि वे मूक है, उनकी आवाज सरकार तक नही पहुंचती है और हम यहा जो अरण्यरोदन करते है, उसकी सुनवाई नही होती है ? चूंकि वे शूगरकेन को बहुत दिनो तक नही रख सकते हैं, इसलिये उन पर यह मार पड रही है। अगर वे भी आर्गेनाइज्ड होते और मिलो को न चलने देते, तो सरकार झख मार कर उनको अधिक दाम देती। यह आवश्यक है कि अन्य सामानो के दाम जितने बढे हैं, उसी अनुपात से किसान के उत्पादन के दाम भी बढाये जायें।

मिलो के हिसाब की ज्यादा स्ट्रिक्टनेस से जाच करनी चाहिये, ताकि यह पता चले कि वे किन-किन चीजों को बेचते हैं और उससे उनको क्या लाभ होता है। ऐसा करने मे उनके दाम कम होगे। शायद सरकार के एकनपर्टं स इस बात को नजरन्दाज कर देते हैं। मन्त्री महोदय को इस तरफ ध्यान देना चाहिये।

श्री राम चन्द्र विकल (बागपत) सभापति जी, आज किसान के गन्ने के भाव पर यहा चर्चा हो रही है। इस बारे मे भो नरसिंह नारायण पाडे ने बहुत ही युक्तिपूर्ण और तर्कपूर्ण ढग से यह साबित किया है कि किसान को गन्ने का जो मूल्य मिल रहा है, वह न्यायोचित नही है।

16.44 hrs.

[SHRI ISHAQUE SAMBHALI *in the Chair*]

अगर हम देश में आर्थिक कार्यक्रम को चालू रखना चाहते हैं, तो हमारा यह कर्तव्य हो जाता है कि हम पैदावार करने वाले किसान और मजदूर को आर्थिक साधन और सहायता दें और साथ ही समाज में सम्मान भी दें। अगर पैदा करने वाले को साधन और सम्मान नही दिया जायेगा, तो आर्थिक कार्यक्रम को सफल कौन बनायेगा ?

किसान को हैसियत दो प्रकार की है। वह पैदा भी करता है और खरीदता भी है। उत्पादक की हैसियत से जो चीजें वह पैदा करता है, उसके दाम बराबर गिरते चले आये, और जो चीज वह उपभोक्ता की हैसियत मे खरीदता है, उसके दाम बढ़ते चले आये, तो वह किसान पर एक प्रकार का डबल जुर्माना है। अब यह डबल जुर्माना होगा किसान के ऊपर तो पैदावार बढाने के लिए वह किस तरह से साहस करेगा ? यह एक मोटी बात मैं आप को कहना चाहता हू। आज किसान के ऊपर जैसा पाडेय जी ने कहा अनेक तरह के टैक्सो की दरें बढी है। चाहे वह बिजली की हो, आबपाशी की हो या लगान हो इन की सब की दरें बढी हैं और किसान की चीजो के भाव गिरते गए है। तो जहा किसान की आर्थिक हालत खराब होगी, मैं समझता हू कि सारे राष्ट्र की आर्थिक हालत खराब होती चली जायगी और हमारा जो स्वप्न है वह स्वप्न अधूरा रह जायगा।

दुर्भाग्य यह है कि किसान अपना हिसाब मेहनत का और लागत का खुद नही जानता बल्कि उलटे यह है कि किसान अपनी गरीबी को अमीरी कर के शो करता है। दूसरी तरफ जो अमीर लोग हैं, मिल मालिक है वह अपने मुनाफे को घटा कर के दिखाने के आदी है चाहे वह इन्कमटैक्स के भय से हों चाहे किसी दूसरे भय से। तो दोहरा फर्क हो जाता है किसान की मनोवृत्ति मे और मिल मालिक की मनोवृत्ति मे। और खाली

मिल मालिक ही बाटे के खाते बनाते हैं एसी बात नहीं, हमारे सरकारी अधिकारी और कर्मचारी अधिकांश ऐसे हैं कि जो मिल मालिक के फेवर की दलीलें लाएंगे, मिल मालिक के हिसाब को अच्छा साबित करेंगे। मगर किसान के फेवर में दलील देने में वह भी पता नहीं क्यों मजबूर होते हैं और दुर्भाग्य यह है कि जो देश के अर्थशास्त्री हैं जिनके ऊपर सारे देश के भावों का निर्धारण निर्भर करता है वह चाहे वह मूल्य आयोग हो या अर्थ शास्त्री हों, वह भी किसान को मेहनत और लागत के तौर पर उसकी जिन्स के भाव तय नहीं कर पाते। यह सोचना होगा और सरकारों को सोचना होगा कि इन सब बातों के होते हुए कोई ऐसा रास्ता निकाला जाय जिससे पैदा करने वालों को उचित दाम मिल सके और उनको उचित साधन मिल सके।

सभापति महोदय, आप भी उत्तर प्रदेश से आते हैं। आप भी जानते हैं कि जब किसान हमसे पूछते है कि 1967 और 68 में इन्ही किसानों को अनेक मिलों ने 21 रुपये क्विटल 17 रुपये क्विटल गन्ने का भाव दिया और आज जब किसान की खरीद के भाव बढ़ते चले गए हैं तो उसके गन्ने का दाम कम क्यों होते जा रहे है, तो हमारे पास कोई जवाब नहीं होता। 1974 में सवा पन्द्रह रुपये फी क्विटंल सरकार ने तय किया कि देंगे, पन्द्रह रुपये देंगे। कुछ दिन बाद साढ़े चौदह हो गया और साढ़े चौदह भी तब हुआ जब प्रधान मंत्री ने मध्यस्थता की, वरना फरवरी के बाद मिल मालिकों ने 11 रुपया देना शुरू कर दिया। उन्होंने कोई मीटिंग की लखनऊ और दिल्ली मे और घोषणा कर दी कि 11 रुपये क्विटल देंगे। प्रधान मंत्री ने मध्यस्थता की तब भी 11 से लेकर साढ़े चौदह रुपये तक का भाव रहा। आज भी मैं प्रधान मंत्री को बधाई देता हूं कि वह बीच में पड़ी हैं तब इतना तय हुआ है वरना सरकारी कर्मचारी और अर्थशास्त्री तो कुछ और ही बात कहना चाहते थे। वह तो 12 रुपये से आगे बढ़ना ही नहीं चाहते थे। मेरा कहना है कि इस पर गंभीरता से सोचना पड़ेगा कि किसान की उपज के भाव गिरते चले जायें और उसकी खरीद के भाव बढ़ते चले जायें तो उसका परिणाम क्या होगा?

मिल मालिक मैली को भी बेचते हैं, शीरे को भी बेचते हैं, छोई को भी बेचते हैं और चीनी भी बेचते हैं। सब के दाम बढ़ते चले गए और वह सरकार से और मांग कर रहे हैं कि हमारी चीनी के भाव और बढ़ाए जाएं। उसके लिए बहुत दलीलें निकल आती हैं, कहते हैं, मिले पुरानी हैं, मशीनरी खराब हो गई हैं लेकिन किसान के फेवर की दलील नही आतीं, यह मुझे दुख के साथ कहना पड़ता है।

किसान खाली आर्थिक तौर पर इस देश में त्रस्त है यही नहीं है। किसान के प्रति अच्छी धारणा और भावना भी नहीं है और मैं यह कहना चाहता हूं कि जो इस देश का प्रहरी है जिसका लड़का सीमाओं पर रक्षा करता है, जो यहां अन्न उत्पादन करता है और पैदावार बढ़ाता है उसके प्रति सद्भावना नहीं हो पाती तो दुर्भावना भी नहीं होनी चाहिए। मुझे पंडित जवाहरलाल जी नेहरू की उस भावना से बहुत प्रेरणा मिलती है और मैं समझता हूं कि सारे देश को मिलनी चाहिए जो उन्होंने अपनी विल में लिखा था कि मेरी भस्मी किसानों के खेतो पर डाली जाय। किसान के खेतों पर भस्मी डालने के पीछे पंडित जवाहरलाल जी की भावना भरी पड़ी थी, वह किसान का आदर करना जानते थे, वह जानते थे कि यह देश किसानों का है, किसान के बिना यह देश आगे नही बढ़ सकता है। मुझे उनके वह शब्द भी याद है, उन्होंने कहा था कि किसान मेरे गुरु है, प्रतापगढ़, रायबरेली, सुल्तानपुर आदि जिलो के किसानो में मैं जाता था तो किसानों ने मुझे प्रेरणा दो, किसानों ने मुझे बोलना सिखाया। लेकिन उस किसान के बारे में आज जबान नहीं खुलती, कलम नही

[श्री राम चन्द्र विकल]

उठती। बुद्धि कुंठित हो जाती है सोचने में। मैं कहना चाहता हूं कि किसान जो एक बहुत बड़ा तबका है वह इस देश का अन्नदाता है, वही वस्त्रदाता है, वही घी-दाता है, वही दूध दाता है, वही कपड़ा-दाता है, कौन सी चीज है जो वह नहीं देता है ?

मैं कहता हूं कि किसान इस देश का प्राणदाता है। अगर उसके बारे में इस तरह की भावनायें हों, उसके लिए उल्टी नीतियां अपनाई जायें, उनकी बातों की सुनवाई न की जाये तो देश के लिए वह कोई शुभ लक्षण नहीं है। मैं इतना ही कहना चाहता हू कि आप भी किसान क्षेत्र से आते हैं, आप किसानों के हिमायती हैं, हम सभी को किसानों के बारे में सही तरीके से सोचने की परम्परा को चलाना होगा चाहे वह केन्द्र सरकार हो, चाहे राज्य सरकारें हों, चाहे वह देश के अर्थ-शास्त्री हों, सरकारी कर्मचारी हों या राज-नेता हों—सभी को उनके बारे मे सही दिल से सोचना होगा। आखिर इस देश में जो भी पैदा होता है वह पैदावार खेत और कारखानों में ही होती है लेकिन जो पैदा करने वाले हैं उनके हालात क्या है ? आज जो पैदा करते हैं वही दुखी हैं, आज उसी का अनादर है, कोई उसके बारे मे सही सोच नहीं सकता है। ऐसी हालत में उसका दिल टूट जाता है। इसके बाद तो इस देश को घाटा ही होगा। इसलिए मैं कहना चाहता हू कि किसानों के बारे में इस देश के अर्थ-शास्त्री और दूसरे सभी लोग सोचे। किसान की पदावार का मूल्य निर्धारित करने के लिए जो कृषि मूल्य आयोग हैं उसमे भी परिवर्तन होना चाहिए। उसमें व्यावहारिक किसानों को भेजा चाहिए—ऐसे लोग जो स्वयं पैदा करते हैं, जो किसानो के दर्द को जानते हैं उन लोगों को रखना चाहिए और कागजी लोगों को वहा से निकालना चाहिए जोकि झूठे सच्चे कागज बनाते हैं और उन्हीं के आधार पर सरकार की नीतियां चलती हैं। इसलिए कृषि मूल्य आयोग में किसानों को भेजना चाहिए। पिछले दिनों सुना कि केन्द्रीय सरकार की नीति कुछ तब्दील हो रही है। मिल के मुनाफे में किसान मजदूर को भागी-दार बनाया जायेगा लेकिन यह मामला मुझे स्वप्न सा नजर आता है। किसान मजदूर उसमें भागीदार हो सकेंगे यह मुझे कुछ स्वप्न सा लगता है। बहुत से लोगों ने मांग की है कि अगर मिलें घाटे में चलती हैं तो सरकार उनका राष्ट्रीयकरण कर ले लेकिन मैं समझता हूं खराब मिलो की जिम्मेवारी सरकार को नही लेनी चाहिए। यह बात सही नहीं है कि मुनाफा तो मिल मालिक ले और मिल खराब हो जाये तो उसकी जिम्मे-दारी सरकार उठाये। इस प्रकार तो मिल मालिक और भी बढ़ा चढ़ा कर अपने कागज बनायेंगे और सरकार तथा किसानों को मुगा-लते में रखेंगे। अन्त में मैं आपको धन्यवाद देता हूं और श्री नरसिंह नारायण पांडे जी को बधाई देता हूं कि उन्होने एक तर्कपूर्ण ढग से विस्तार मे सारी नीतिया यहा पर रखी और दूसरे तमाम आंकड़े यहा पर प्रस्तुत किये। मैं एक किसान के रूप मे मोटे तौर पर इस भावना को रखना चाहता हूं कि देश मे पैदा करने वाले किसान और मजदूरों को साधन और सम्मान मिले तभी हमारे आर्थिक कार्यक्रम सफल होंगे, यह देश आगे बढ़ेगा और अन्न के मामले मे हम विदेशो के गुलाम नही रहेंगे।

श्री रामदेव सिंह (महाराजगंज) : सभापति जी, चीनी उद्योग खतरे मे पडा हुआ है। लोगो ने यहा पर बहुत सही और साफ बाते कही है। हमारे विकल जी ने जिम्मेवारी डालने के लिए सरकारी मुला-जिमों को तो ले लिया लेकिन मंत्रियो को बख्श दिया। मैं यह कहना चाहता हूं कि चीनी उद्योग हमारे देश का बड़ा महत्वपूर्ण उद्योग है। हम यहां पर अधिक चीनी पैदा करके बाहर भेज सकते हैं और विदेशों से पैसा ले सकते हैं लेकिन सरकार की उपेक्षापूर्ण नीतियों,

के कारण यह उद्योग और ईख की खेती खतरे में पड़ गई है। यहां पर भार्गव कमीशन की चर्चा हुई लेकिन उसको अभी तक ताक पर रखा हुआ है। आपको स्पष्ट निर्णय लेना चाहिए कि आप चीनी मिलों का राष्ट्रीयकरण करेंगे या नहीं करेंगे। अगर राष्ट्रीयकरण करेंगे तो उसमें विलम्ब नहीं करना चाहिए, नहीं करेंगे तो स्पष्ट घोषित कर देना चाहिए क्योंकि पिछले दो तीन सालों से मिल मालिक एक पैसा भी फैक्ट्री में नहीं लगा रहे हैं। कब उसकी फैक्ट्री ले ली जायगी, दुविधा मे पड़ा है, असमंजस में पडा है–इस बात को साफ कर देना चाहिये।

ईख की जो कीमत निर्धारित की गई है, बड़ी विचित्र है। इस सरकार की यह पालिसी है कि ऐसा काम राज्य सरकार पर डाल दो, लेकिन उनको ठीक से करने भी न दो—ऐसा क्यों होता है। हम पिछले कई सालों से देखते आ रहे हैं—चीनी की कीमत बढ जाती है, लेकिन ईख की कीमत नहीं बढती। सरजू पाण्डेय जी ने ठीक कहा है—आज जिस भाव पर सूखी लकड़ी बाजार मे बिक रही है, उस से भी कम कीमत ईख की खेती करने वालों को दी जाती है। हर चीज का दाम बढ रहे है, 500 रुपये का बिकनेवाला पम्पिंग सैट आज 5000 रुपये का बिक रहा है 10000 रुपये में बिकने वाला जेटर ट्रैक्टर आज 40 से 46 हजार में बिक रहा है। वे सारी चीजे जो किसानों के खेतो मे उपयोग मे आती है उनको महगे दामों मे खरीदनी पडती हैं, लेकिन ईख की कीमत नहीं बढ रही है।

सभापति जी, पिछले दिनो एग्रीकल्चर की कन्सलटेटिव कमेटी की मीटिंग हो रही थी, उस मीटिंग को जगजीवनराम बाबू प्रेसाइड कर रहे थे। हमने कहा कि ईख की कीमत ठीक से निर्धारित कीजिये, आज ईख की खेती का ह्रास हो रहा है, यदि ऐसे ही चलता रहा तो ईख की खेती इस देश में समाप्त हो जायगी। तब जगजीवन बाबू बोले—रामदेव बाबू, वह दिन इस देश के लिये बडा शुभ दिन होगा, जब ईख को खेती इस देश में बन्द हो जायगी और तब दूसरे अन्न की खेती होने लगेगी। हमने कहा—जगजीवन बाबू, आप भारत सरकार के खाद्य मन्त्री है, जब आप को ही यह विचार है, तब हमको इस सम्बन्ध में कुछ नही कहना है। जिस ईख की खेती से चीनी बनती है, जो मानव की औसत खुराक है, इस देश के लिये ही नही सारी दुनिया के लिये है, भले ही दूसरे देशो मे चीनी दूसरी चीजों से बनाई जा सकती हो, लेकिन हिन्दुस्तान मे तो ईख को छोड़ कर दूसरे किसी पदार्थ से चीनी नहीं बनाई जाती। जिस चीनी को हम विदेशों को भेज कर विदेशी मुद्रा कमाते है, इस देश की आवश्यकता को पूरा करते है—यदि उस ईख की खेती बन्द हो जाय तो वह इस देश के लिये दुर्भाग्य होगा या सौभाग्य होगा—इस बात को यदि इस देश के खाद्य मन्त्री नही समझ सकते है, तब फिर जो स्थिति आज चल रही है उस मे किसी को आश्चर्य नही होना चाहिए। मैं तो आप से यही निवेदन करना चाहूंगा—यदि सरकार के दिल मे इस देश के गरीबों के लिये, इस देश के किसानो के लिये दर्द है तो उस को चाहिए—ईख की और चीनी की सही कीमत निर्धारित करे, एक सही नीति बनाये। इस के लिये वह चाहे पार्लियामेंट के मेम्बरो के साथ बैठकर बातचीत करे या हमारे गावो मे जो एक्स-पर्ट्स है, जो हमारे किसान है, उन के साथ बैठकर बातचीत करे और एक सही नीति बनाये। लेकिन दिक्कत यह है कि इस सरकार मे आइ० ए० एस० अफसर ही सारी बातों के एक्सपर्ट है। जब भी कोई चीनी मिल ले ली जाती है, उसको चलाने के लिये कहीं से ए० डी० एम० को बुला लेते हैं या कहीं से कलैक्टर को बुला लेते है। गाव मे जो चीनी विशेषज्ञ हैं, जिन मे बहुत से पढ़े-लिखे और अच्छे लोग भी है, जिन्हे चीनी उद्योग चलाने का अनुभव भी है, ऐसे लोगों को मार्किट मे नहीं खोजते हैं।

[श्री राम देव सिंह]

यह कलेक्टर और ए० डी० एम० को बोलते हैं जिन्होंने कभी गन्ने को खेती देखी नहीं, कोई उसकी जानकारी नहीं कि किसान गन्ने को काट कर कैसे बेचने के लिये लाता है। जिन लोगों को इन बातों का ज्ञान नहीं है उन्हीं को फैक्ट्री का डायरेक्टर बनाया जाता है, वही चीनी की कीमत निर्धारित करते हैं। ऐग्रीकल्चर प्राइस कमीशन को जो तोड़ने की बात कहीं गई है मैं उस का समर्थन करता हूं। ऐसे आयोग को कोई आवश्यकता नहीं है जिस को वास्तविक स्थिति का ज्ञान नहीं है। एक जमाना था जब अंग्रेजों के काल में चीनी की कीमत ईख की कीमत से निर्धारित होती थी। एक रु० मन चीनी बिकती थी तो 1 रु० मन ईख बिकती थी, 20 रु० मन चीनी हुई तो गन्ने का दाम सवा रु० हो गया, 32 रु० मन चीनी तो गन्ना 2 रु० मन हो गया, 40 ० मन चीनी तो गन्ना ढाई रु० मन बिकता था। आज गन्ने की कीमत नीति पर निर्धारित करते हैं यह समझ में नहीं आता, यहां माननीय सदस्य भी नहीं समझ पा रहे है कि आज जो गन्ने की कीमत दे रहे हैं उसका निर्धारण करने के पीछे क्या उसूल सरकार का रहता है, यह हमारी समझ में नहीं आता। हम ऐग्रीकल्चर कंसल्टेटिव कमेटी के सदस्य हैं, लेकिन समझ नहीं पा रहे हैं कि कौनसा उसूल सरकार फोलो करती है।

17.00 hrs.

यह सरकार कभी भी चीनी मिलों का राष्ट्रीयकरण नहीं करेगी क्योंकि सरकार ने चीनी मिलों को अपना चरागाह बना रखा है, और जब कहीं चुनाव आया तो लाखों रु० चीनी मिल ओनर्स एसोसियेशन इन को देता है। ऐसा चरागाह क्यों समाप्त करेंगे। आज करोड़ों रु० किसानों का चीनी मिल मालिकों पर बकाया है हमारे यहां एस० के० जी० मिल के पास 17 लाख रु० किसानों का बाकी है लेकिन उसको वसूल करने की कोई कोशिश सरकार नहीं कर रही है। अगर हमारे ऊपर सरकार का 1 रु० भी रह जाता है तो निलाम का वारन्ट जारी कर देते हैं, उसके बैल खोल लिये जाते हैं, कुर्की निकाली जाती है, जेल में बन्द करते हैं। लेकिन इस सरकार में हिम्मत नहीं है कि मिल मालिकों से किसानों का बकाया दिला सके। सरकार के पास शक्ति है लेकिन उसका इस्तेमाल नहीं करती जिससे बकाया वसूल कर सके। मिल मालिक का पैसा सरकार की शक्ति पर पानी डाल देता है।

एक माननीय सदस्य ने ठीक ही कहा कि आज कल इमरजेंसी है जिस पर आप को नाज हैं। तो इसको चीनी मिलों पर क्यों नहीं लागू करते हैं जिन पर करोड़ों रु० किसानों का बकाया है। आप सभापति जी, गांवों में जाते होंगे, हम भी जाते हैं, किसान अपनी बेटी के विवाह के लिये कहता है कि हमारा 1,000 रु० मिल पर बाकी उस को किसी तरह दिला दीजिये। हम लिखते भी हैं पत्र, पर कोई सुनवाई नहीं होती है।

फ्री सेल और कण्ट्रोल सेल, यह क्या तमाशा है। अगर आप को कण्ट्रोल करना है तो पूरा कण्ट्रोल कीजिये। फ्री रखना है तो पूरा फ्री रखिये। यह आधा घर कटा और आधा घर पिटा नहीं चलेगा। सरकार की हाचापाच नीति किसान को मार देगी।

उत्तर प्रदेश और बिहार की सरहद पर जो चीनी मिलें हैं मालूम होता है कि चीन और भारत की लड़ाई हो रही है। बिहार की पुलिस लगी है, एक तरफ पेरवा में लगी है और दूसरी तरफ़ उत्तर प्रदेश की पुलिस लगी है। हम नहीं जाने देंगे हम नहीं जाने देंगे। पत्र भी लिखे गये इसके बारे में। राज्य सरकार ने भी लिखा। लेकिन सेंटर के पास इतनी हिम्मत नहीं कि दोनों कैन कमिश्नर्स को बुला करके, दोनों मुख्य मन्त्रियों को बुला करके उस एरिया के बारे में निर्णय कर दे। डा० सम्पूर्णा-

नन्द जी और श्री कृष्ण सिन्हा जी, दोनों मुख्य मन्त्रियों के बीच में जो समझौता हुआ था उसके अनुसार बिहार के गेरवा एरिया के 208 गांव उत्तर प्रदेश की प्रताप चीनी मिल को दिए गए थे जो कि सत्तर साल से उत्तर प्रदेश के साथ सम्बन्धित थे। इस साल बिहार सरकार ने उन गांवों को छीन करके बिहार की चीनी मिलों को दे दिया है। इस के जी ने कांग्रेस नेताओं और कुछ दूसरे लोगों को पकड़ा और बिहार सरकार पर दबाव डलवाया कि उन गांवों को छोड़ करके हमे दे दिया जाए और इस चीज को लेकर आज वहां लोगों में भयानक संघर्ष मचा हुआ है। मालूम होता है कि केन्द्रीय सरकार ऊख के बारे मे, चीनी के बारे में कुछ सोचने के लिए तैयार नहीं है, मालूम होता है कि उसके सोचने समझने की शक्ति समाप्त हो गई है या उसने उसे एक दम दरकिनार कर दिया है। ऊख की खेती एक महत्व की खेती है। ऊख की खेती देश मे बढ़े, किसान को समय पर उसका पैसा मिले इसकी आपको व्यवस्था करनी चाहिये। जो पैसा उनका रुका पड़ा है उसको दिलाने की व्यवस्था होनी चाहिये और शीघ्र से शीघ्र दिलवाया जाना चाहिये। जो मिल मालिक नहीं करते हैं उनके खिलाफ आप कार्रवाई करें, उनको सजा दे। वे शीरा बेचते है, चीनी महंगी करके बेचते हैं और मालामाल हो रहे हैं। ऊख बोने वाला आज उजड गया है, हाहाकार उनमें मची हुई है। यदि देश तथा किसानों के प्रति आप अपने कर्त्तव्य का निर्वाह करना चाहते है तो केन प्राइस का आप पेमेंट करायें और एक अच्छी नीति चाहे जिस तरह की भी वह हो इस उद्योग के बारे में अपनायें। नीति ऐसी होनी चाहिये जिससे ऊख की, चीनी की पैदावार बढ़े, लोगों को सहूलियत से मिले, ज्यादा चीनी का निर्यात हो। ऐसी नीति आप तैयार करें, केवल यही मेरी आपसे प्रार्थना और अनुरोध है।

श्री गेंदा सिंह (पडरौना) : सभापति महोदय—

एक माननीय सदस्य : बैठ कर बोलिए।

श्री गेंदा सिंह : दरख्वास्त जब की जाती है तो खड़े हो कर की जाती है। मैं श्री मंत्री महोदय से दरख्वास्त करना चाहता हूं, प्रधान मंत्री से करना चाहता हूं। अब समय आ गया है जब उत्तर प्रदेश और बिहार के करोड़ों किसान परिवारों को राहत दिलाई जाय इन मिल मालिको से। मैं श्री नरसिंह नारायण पांडे जी का आभारी हूं कि वह हमारी मदद के लिए आए हैं और उन्होंने इस डिस्कशन को छेड़ा है। उन्होंने बहुत ही खूबी के साथ यह मामला आपके सामने पेश किया है। मैं जानता नहीं था कि आज यह मामला आ जाएगा और आज खत्म हो जाएगा और कल आप नही सुनेगे। मैं समझता हूं कि यह मामला ऐसा है जिस पर आप को सारे हाउस को सुनना चाहिए। कोई भी ऐसा नहीं होगा जो यह कहे कि ये मिलें सड़े हुए लोगों के हाथ मे पड़ी रहें। सारा हाउस इसके बारे में व्यथित है और कह रहा है कि इन से पिंड छुड़वाइये। गन्ने की कीमत आप क्या तय करेंगे? खरीदने वाला और बेचने वाला ये दो पार्टियां होती है जो तय करती हैं। यही दो पार्टियां उत्तर प्रदेश में और बिहार में है। एक पार्टी तो करोड़ों भूखे नंगे किसानों की है और दूसरी पार्टी करोड़पतियों की— बदमाश मैं कह रहा था लेकिन नही कहूंगा— उसकी है और वह है जो देश को लूटने वाली है। इसी दिल्ली में यह सोचा गया कि मैं इस संसार से चला जाऊं, लेकिन मैं आपकी कृपा से मौजूद हूं।

यू० पी० और बिहार में को-आपरेटिव मिलें आम-तौर की हैं, लेकिन देश के कुछ हिस्सों में किसान इस सरकार की सहायता से

[श्री मैंया सिंह]

अपनी फैक्टरिया चलाते हैं । महाराष्ट्र, आन्ध्रप्रदेश, कर्नाटक और कई अन्य प्रदेशो मे वे अपनी फैक्टरिया चला रहे है। कहा जाता है कि ये को-आपरेटिव मिले खराब हैं । मैं निवेदन करना चाहुगा कि उन मिला का काम तो देखे। महाराष्ट्र मे दो-तीन को-आपरेटिव मिले है, उनके नाम मुझे याद नही हैं, उन्होने पिछले साल 21 रुपए क्विटल तक दिया है। यह फाइनल पेमेट नही है, बल्कि पेराई के समय यह एडवास के रूप मे दिया जाता है। आखिरी पेमेट चीनी के बिकने पर की जाती है। जिस भाव पर चीनी बिकती है, उसी के अनुसार फाइनल पेमेट किया जाना है। मेरा ख्याल है कि महाराष्ट्र की किसी मिल ने 17 रुपए क्विटल से कम नही दिया है।

उत्तर प्रदेश के पश्चिमी जिला मे पहले रिकवरी कम आती थी जबकि पूर्वी उत्तर-प्रदेश और बिहार मे रिकवरी ज्यादा आती थी। यह फैक्टरिया बहुत पुरानी हैं 1931-32 की बनी हुई हैं। व तभी से ज्यादा रिकवरी देती रही हैं। लेकिन अब रिकवरी कम हो गई है। हमने देखा है कि रिकवरी साढे 10 परसैंट होने पर भी मिल मालिक कहते हैं कि हम गन्ने का दाम 11 रुपए क्विटल से ज्यादा नही दे सकते हैं। जहा रिकवरी 8 परसैंट हुई, वहाँ भी 11 रुपए दिए गए हैं और जहा साढे 10 परसैंट हुई वहा भी 11 रुपए दिए गये हैं।

मवाना और दौराला की चीनी मिलो ने 10½ परसेंट रिकवरी होते हुए भी केवल 11 रुपए दिये। भार्गव कमीशन के एक न्यायिक मेम्बर, श्री बंसीधर, ने यह बयान दिया कि 11 रुपये से अधिक नहीं देना चाहिए। वास्तव में भार्गव कमीशन दो हिस्सों में बट [illegible] श्री भार्गव, श्री [illegible] और एक [illegible] तरफ थे [illegible], जो [illegible] को-आपरेटिव फैक्टरियों के [illegible] मैम थे, श्री जी० सी० दीक्षित, जो किसानों और मजदूरों के नेता है, और बिहार के श्री फजलुर्रहमान दूसरी तरफ थे। श्री दीक्षित के दल ने बहुत सोच-समझ कर यह रीकमेंड किया कि प्राइवेट चीनी मिलों को ले लिया जाय। मैं समझता हु कि उन का यह सुझाव स्वागत-योग्य है और मान लेने लायक है।

मैं चाहता हु कि हिन्दुस्तान को एक ऐसा हिन्दुस्तान बनाया जाये, जिस मे किसानो का खून चूसने वाले और उन को बर्बाद करने वाले चीनी मिल-मालिको के हाथ से ये चीनी मिले ले ली जाये। पिछले चालीस बरस में उन्होने किसानो और मजदूरो को लूट कर जो करोडो रुपए इकट्ठे कर लिए है, वे तो उन के पास रहेगे। लेकिन वे कम से कम इन मिलो को तो छोड दे।

जब तक खरीदने वाले और बेचने वाले का रिश्ता ठीक नही किया जायेगा, तब तक गन्ने का दाम ठीक नही मिलेगा और यह झगडा चलता रहेगा। जहा किसाना की सहकारी समितिया चीनी मिले चला रही हैं और किसान उन को अपना गन्ना दे रहे है, वहा उन मे बहुत अच्छा रिश्ता स्थापित हो गया है।

गन्ने के दाम का प्रश्न सारे देश मे है लेकिन उस के लिए झगडा और कही नही है—अगर कही झगडा है, तो केवल यू० पी० और बिहार म। जहां सहकारी चीनी मिले है, वहा किसानो के विरुद्ध मोर्चा नही बन पाया है। प्राइवेट चीनी मिल-मालिक तो हम को मार देते। वे हम को कभी राष्ट्रीयकरण की बात न करने देते। लेकिन सहकारी चीनी मिलो ने ऐसा काम किया है कि उन की वजह से हिन्दुस्तान सिर उठा रहा है। जरा इस बात को मिनिस्टर साहब देखें कि ये कोआपरेटिव मिलें कैसा काम कर रही है? [illegible] की तरफ बढ़ना चाहिए, [illegible]

दिलचस्पी बढ़े, कैसे वहां की गन्ना की उपज ज्यादा हो और कैसे वहा की ठीक खरीद बिक्री हो।

आज जितनी लूट शूगर मे है उतनी और कहा है ? उस क बाइ-प्रोडक्ट्स को देख लीजिए, मोलेसिस को देख लीजिए, कैसे उस में लूट हो रही है। शीरे की बिक्री कैसे होती है, बगास की बिक्री कैसे होती है, हर चीज की बिक्री मे लूट है। लेकिन गाव का गन्ना पैदा करने वाला जो है उस का चूंकि कच्चा माल है, उस कच्चे माल की बुनियाद पर आप जो चाहे कर सकते हैं। यह 31-32 की बनी हुई फैक्ट्रियां है। इतनी पुरानी हिन्दुस्तान मे कोई फैक्ट्री है ? जो विशेषज्ञ हो वह बताए कि हिन्दुस्तान मे कौन सी इन्डस्ट्री इतनी पुरानी है और कहा इतना धन उन्होने कमाया है ? कोई देखता है बैलेंस शीट। आप को सुन कर आश्चर्य होगा गोखले जी ने इन की बैलेंस शीट को पकडा और करोडो रुपए उस बैलेंस शीट से उन्होने काट दिए है। वह इसलिए कि ये झूठा बैलेंस शीट तैयार करते थे। शूगर सेलिंग एजेंट्स कमीशन उस मे दिखाते थे। शूगर सेल करने के लिए एजेंट को कमीशन जो पुराने जमाने मे 30-31 मे था उस को अब तक चलाते जा रहे थे। जब मैंने पत्र लिखा तब पकडे गए। मैं गवनमेंट का रुपया बचाने की बात कह रहा हूं। मैं नार्थ इण्डिया के प्राइवेट मिल मालिक तीन चार करोड रुपया हर साल ले जाते थे इस तरह से। अब शायद इस साल से काटा जाता है। तो हर वर्ष कितना धन जाता था ? कितना बाई-प्रोडक्ट्स से आता था उस को तो छोड दीजिए, बैलेंस शीट झूठी बना कर इतना रुपया ले जाते थे जो अब पकड़ा गया है। इसी तरह से किसान के पैसे, जो मुश्किल [illegible] [illegible] [illegible] है। किसान के लाखों रुपए [illegible] [illegible] है।

तो मैं केवल इतनी बात कहना चाहता हू कि खरीदने वाले की हैसियत आप ठीक कर दीजिए। अगर खरीदने वाले को इसी तरह रखा तो हमारी हिफाजत आप नही कर सकते। अगर हमारी हिफाजत करनी है तो पुराने ढर्रे को बदलिए और मैं कहता हू कि कौन सी ताकत आप मे नही है ? जहा तक राजनीति का सवाल है महाराष्ट्र मे बताइए कौन गन्ने वालो का विरोध करता है ? आन्ध्र के मेम्बर बैठे हुए है। कोआपरेटिव शूगर मिल भी चलाते है और नेता भी है। पालिटिक्स मे जितने मजबूत मेरठ मे हमारे मिनिस्टर साहब हैं उस से ज्यादा मजबूत होने वाले है लेकिन पित्ती के बनाने से मजबूत होंगे जगजीवन राम जी ? पित्ती, बिरला, नेवटिया, इन लोगो का सब का नाम यहा रख कर मैं वक्त खराब नही करूगा, इन सब को जो आप ने जिले जिले मे बैठाया है, इन को मारिए पर नान-वायलेस मे। आपकी नान-वायलेस की पालिसी को मै पूरी तरह से सपोर्ट करता हू। आप मिल मालिको से कहिए कि वे इन करोडो गरीब आदमियो की जान छोड दें। अगर यह हो जायेगा तो बहुत बडी बात होगी। मैं आपसे कहूं कि इमर्जेंसी की जितनी इज्जत हमने की है, हमारे किसानो ने की है उन्होंने नही की। पार साल मिनिस्टर साहब के इलाके मे साढे चौदह रुपए का दाम था। हमारे यू० पी० मे गवर्नमेंट बन गई, चीफ मिनिस्टर बने लेकिन दाम 11 से सवा 13 हुआ—यह बहुत नामुनासिब है। जगजीवन राम जी इस बात को देख रहे है और मुझे उम्मीद है जगजीवन राम जी इसको करेंगे लेकिन मालिको को बदलने का काम श्रीमती इन्दिरा गांधी करें। मुझे उम्मीद है हालांकि मेरी जिन्दगी बहुत थोड़े दिन की है, मैं और जी सकता हूं, हमारे प्रधान मंत्री इस कार्य को करें। मैं इनके जुल्मों की बात से नहीं 1920 से देखता आ रहा हूं। मैं कांग्रेसी सन् 1920 का हूं लेकिन 1920 से इनके जुल्मों को देख

[श्री गेंदा सिंह]

रहा हूं। जेम्स फिनले मिल 1914 मे बन गई थी तभी से मैं इनके जुल्मो को देख रहा हू सारी जनता रोती थी और आज तक रो रही है। मुझे उम्मीद है श्रीमती इन्दिरा गांधी उनके आसुओ को पोछ सकती हैं और वे उनके आसू पोछेगी।

SHRI S. P. BHATTACHARYYA (*Uluberia*): The pathetic condition of the grower has been described by the MPs representing those areas. It has already been said that sugarcane is sold in Punjab, UP and other areas at Rs. 15.50 or even Rs. 16 per quintal. But the Agricultural Prices Commission has fixed the price differently. It has increased the price by one rupee over last year's making it Rs. 9.50 per quintal.

SHRI SHAHNAWAZ KHAN: That is the minimum.

SHRI S. P. BHATTACHARYYA That is the minimum price.

I will tell you one thing. Ten quintals of sugarcane are needed to produce one quintal of sugar. If the minimum price is taken at Rs 10 per quintal, from Rs. 100 worth of sugarcane one quintal of sugar can be produced. Then add the cost of manufacture, machinery, workers, transport etc. How much will it come to? The maximum will be Rs. 200, not more. The cost of sugar will then be Rs 2 maximum.

Sugar is a commodity which is consumed in the country and it is also exportable. It is the task of this government to see that it is produced at low cost for consumers here and also for the export market. The basic thing needed is to minimise the cost of production by the adoption of improved, scientific methods. Till now the cost of production has never been taken into account. The price commission decides the price arbitrarily and never considers the price to be paid to the present in terms of his production cost such as his labour, expenses incurred on watering, manure, the labour of his family members. All these things should be taken into account and the peasant should be paid a remunerative price so that he may be able to maintain himself and his family. If Government does not do that, it fails in its basic responsibility.

The next thing is that sugar should be sold at a proper price. There is no justification to compel our people to buy sugar in the outside market at Rs 4 a kilo. Our workers and employees should not be compelled to pay a high price for sugar which they need for their daily needs. The Government at least for its own prestige sake should come with a solution for this. Cuba is the biggest producer of sugar; it is largest national product of Cuba and they gain from the world market When America boycotted Cuban sugar, Cuba began selling sugar to Soviet Russia and is meeting its national expenditure. What about our country? We have allowed millowners to loot not only the peasantry but also our people. Neither the government officers nor the price commission could do anything beyond the grip of the millowners. That is the tragedy in our country. In West Bengal, jute mill owners are getting richer and the jute growers remain poor. The world market for jute is in a crisis Sugar is not in such a crisis in the world. Government has power and if it is willing it can save the peasantry; I demand that remunerative price must be paid to the peasant immediately. You are coming with so many ordinances, why is there no ordinance on this matter? Let the cost of production be decided by the government immediately. The first thing is to give that price to the peasantry Taking that into account you must fix the consumers' price also.

The Government is committed to nationalise the industry; if you nationalise it you can develop the industry. What is the difficulty? Our Minister should tell us. Two years ago we discussed the price but nothing happened; similarly we may discuss and the Minister will reply and nothing will happen there is no value in this type of thing. You must do something and save the growers so that they can maintain their family. The agricultural workers in the villages may also be saved thus. Let the mill workers be enabled to maintain their families and let this reckless looting be stopped for ever. With these words, I conclude by remarks.

SHRI K. SURYANARAYANA (Eluru): Mr. Chairman, Sir, the general opinion is that the sugarcane growers are not paid properly. Whenever we raise this point, they bring out some calculations. Small farmers do not know these calculations. Even though, the Agricultural Prices Commission has recommended a minimum price of Rs. 9.50 per quintal linked to a basic recovery of 8 5 per cent, the Government has fixed Rs. 8.50 as supporting price. They say that the Supreme Court has given this formula. Calculations are confusing to industry as well as to public. The poor agriculturists do not know even A, B, C, D of these calculations; they simply want a remunerative price.

The Agricultural Prices Commission is a one-men show. He has agreed that agriculturists must have Rs. 1000 as net income for an acre of sugarcane crop. We have no objection to that. Let them take the responsibility. Whatever we grow, we are ready to give on that basis.

Our cane production in 1950 was 5.70 million tonnes, in 1960-61—11.40 million tonnes, in 1968-69—12.33 million tonnes and in 1973-74, it was 14.06 million tonnes. How it was developed? This is the only industry which can help small and marginal farmers who are 90 per cent of the cane-growers in the village. These poor people have no idea as to how much they are entitles to get. So, the Government has to come to their rescue.

They have created sugar levy fund in the name of consumers but they have not created cane-growing fund. We have no quarrel with them. The Government wanted to give some benefits to small farmers associations and small farmers development corporations but it is only an object and is not in operation.

In my State, one factory was started with Rs. 30 lakh capital and with second-hand machinery. They borrowed Rs. 80 lakhs from the growers but they did not give any share to them. They have earned a lot and now their capital is Rs. 3 crores. How have they developed? Now, this is not your money; this is people's money. They are getting loans upto 80 or 90 per cent. This is the only industry where there is no necessity of giving any compensation or anything. When you are not giving a proper compensation to small farmers with 10 or 15 acres because they are growing one or two crops, why should you give compensation to the sugar people? Nobody could say like that That is why we have now come forward We have the Emergency. We have to decide this vital issue now. It is vital because we are getting Rs. 450 crores by sugar exports alone. This is the only agricultural industry now which is earning foreign exchange. In 1950 we were importing sugar; we are now exporting. But the farmer is crying; why? Because he has got only lip sympathy, slogans and formulae with so many points. Let us all think alike—small farmers or other farmers; we are all one. Mr. Chairman, Sir, please give me at least 5 minutes.

MR. CHAIRMAN: No, no Mr. Suryanarayana, the Minister will reply at 6 O'clock I will accommodate 2 or 3 more speakers. Please conclude

SHRI K. SURYANARAYANA: I will request the Minister We can sit even till 7 O'clock It is a vital issue

श्री मैंवा सिंह मैं रघुरामैया जी से प्रार्थना करता हूं कि यह चलने दें। सब लोगो को सुन लें। सूर्य नारायण जी ऐसी बात कह रहे हैं जिस को बहुत ध्यान से सुना जाना चाहिये। मेरी प्रार्थना है कि कल भी इस बहस को आप जारी रखें।

सभापति महोदय यह हाउस के हाथ में है। हाउस ने डिसाइड किया है कि छ बजे मिनिस्टर को रिप्लाई करना है।

श्री शिवनाथ सिंह हाउस ने नही किया है। इसके लिए वक्त बहुत कम दिया गया है। सब प्वाइंट्स आपके सामने आ जाने चाहियें। हाउस ने डिसाइड नही किया है। अधिक से अधिक सदस्यों को बोलने का मौका दिया जाता है तो कोई नुकसान नहीं होगा।

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K RAGHU RAMAIAH): I am not trying to stifle anybody I entirely agree that it is a vital issue Kindly bear in mind that the time allotted is 3 hours It will be over by 6 30 p.m So long as it is agreed that we can go on till the Minister is on his legs and that nobody will speak tomorrow except the Minister I am ready to agree.

(*Interruptions*)

SHRI K. SURYANARAYANA: This is not only Andhra's problem. It is an all-India one. This crop is a seasonal one. Unless we crush within 24 hours, the farmer or miller cannot do anything Yesterday, in a casual manner, I met the Prime Minister. She told that we will consider the suggestions if they do not lead to an increase in the price of sugar for the consumer We have no objection to it We are in favour of the consumer. Let us make calculations that way On the same basis we will accept either Rs 20 or 30 for a tonne of sugarcane. I have recently started a cooperative sugar factory I have got it constructed it with Rs 3 crores Plant and machinery alone cost Rs 150 lakhs

As the hon Member, Shri Patel, has stated, in the Deccan area the sugar factories have been penalised, because they have produced more Efficiency is being penalised Instead of encouraging efficiency, you are penalising efficiency Please reconcile your policy on a rational basis We do not want to quarrel because they are getting more Let them get even Rs 500 for a tonne of levy sugar, we have no objection If you want to equalise the consumer prices, why not equalise the cane price also?

If there is the problem of standing surety for sugar cooperatives, why should the farmers be made to suffer? We do not want to hear of any policy We want to hear something practical I would request the hon Minister to bear in mind that this is included in the 20-point programme It is also part of the Emergency So, they should give due consideration to this

Cooperative factories are part and parcel of the sugar industry sponsored by the Government We are cooperating with the Government

Now there are four financial agencies to assist the sugar industry and

there is no coordination between them. So, the cooperatives are not getting enough resources, unlike the private industry. If you do not encourage the cooperatives, what will happen is that the entire sugar industry will come in the private sector. If you want to prevent that, then you have to appreciate the genuine difficulties of the sugar cooperatives and try to help them. You should appoint a committee to go into the entire problem. Now that we are passing through a period of Emergency, you should try to satisfy at least the small sugarcane growers for whom we are anxious.

17.48 hrs.

MESSAGES FROM RAJYA SABHA—*Contd.*

SECRETARY-GENERAL: Sir, I have to report the following messages received from the Secretary-General of Rajya Sabha:—

(i) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 4th February, 1976, agreed without any amendment to the Prevention of Publication of Objectionable Matter Bill, 1976, which was passed by the Lok Sabha at its sitting held on the 29th January, 1976."

(ii) 'In accordance with the provisions of rule 115 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 5th February, 1976, agreed to the following amendment made by the Lok Sabha at its sitting held on the 3rd February, 1976, in the Payment of Wages (Amendment) Bill, 1976:—

Enacting Formula

That at page 1, line 1,—

for "Twenty-sixth"

substitute "Twenty-seventh".'

(iii) 'I am directed to inform the Lok Sabha that the Urban Land (Ceiling and Regulation) Bill, 1976, which was passed by the Lok Sabha at its sitting held on the 2nd February, 1976, has been passed by the Rajya Sabha at its sitting held on the 5th February, 1976, with the following amendments:—

Clause 2

1. That at page 3, *for* lines 3 to 10, the following be *substituted*, namely:—

(g) "land appurtenant", in relation to any building, means—

(i) in an area where there are building regulations, the minimum extent of land required under such regulations to be kept as open space for the enjoyment of such building, which in no case shall exceed five hundred square metres; or

(ii) in an area where there are no building regulations, an extent of five hundred square metres contiguous to the land occupied by such building,

and includes, in the case of any building constructed before the appointed day with a dwelling unit therein, an additional extent not exceeding five hundred square metres of land, if any, contiguous to the minimum extent referred to in sub-clause (i) or the extent referred to in sub-clause (ii), as the case may be;

[Secretary-General]

2. That at page 3, *for* lines 38 and 39, the following be *substituted,* namely:—

(n) "urban agglomeration",—

(A) in relation to any State or Union territory specified in column (1) of Schedule I, means,—';

3. That at page 3, after line 50, the following be inserted, namely:—

"(B) in relation to any other State or Union territory, means any area which the State Government may, with the previous approval of the Central Government, having regard to its location, population (population being more than one lakh) and such other relevant factors as the circumstances of the case may require, by notification in the Official Gazette declare to be an urban agglomeration and any agglomeration so declared shall be deemed to belong to category D in Schedule I and the peripheral area therefore shall be one kilometre;"

4. That at page 5, in line 6, the word "and" be *deleted.*

5. That at page 5, *for* lines 7 to 10, the following be *substituted,* namely:—

"(ii) in an area where there are building regulations, the land occupied by any building which has been constructed before, or is being constructed on, the appointed day with the approval of the appropriate authority and the land appurtenant to such building; and

(iii) in an area where there are no building regulations, the land occupied by any building which has been constructed before, or is being constructed on, the appointed day and the land appurtenant to such building:"

Clause 4

6. That at page 7, *after* line 46, the following be *inserted,* namely:—

"(11) For the removal of doubts it is hereby declared that nothing in sub-sections (5), (6), (7), (9) and (10) shall be construed as empowering the competent authority to declare any land referred to in sub-clause (ii) or sub-clause (iii) of clause (q) of section 2 as excess vacant land under this Chapter."

7. That at page 8,—

(i) in line 7, *insert* "or" at the end;

(ii) *after* line 7, the following be inserted, namely:—

"(iii) possesses such land but owns the building, the possession being as a tenant under a lease or as a mortgagee or under an irrevocable power of attorney or a hire-purchase agreement or partly in one of the said capacities or partly in any other of the said capacity or capacities."

Clause 6

8. That at page 9, in line 6, *for* the word "sub-section" the word "section" be *substituted.*

9. That at page 9, in lines 12 and 13, the words and bracket "sub-clause (ii) of" be *deleted.*

Clause 7

10. That at page 10, in line 39, *for* the word "persons" the word "person" be *substituted.*

Clause 15

11. That at page 15, in line 10, *after* the word "authority" the words "or by purchase or otherwise" be *inserted*.

Clause 22

12. That at page 19, in line 19, *for* the words "for such purpose" the words "for such purpose and where the competent authority is not so satisfied and does not so permit, the provisions of sections 6 to 14 (both inclusive) shall, so far as may be, apply to the statement filed under sub-section (1) and to the vacant land held by such person in excess of the ceiling limit." be *substituted*.

Clause 27

13. That at page 21, in line 28, *after* the words "time being in force," the words "but subject to the provisions of sub-section (3) of section 5 and sub-section (4) of section 10," be *inserted*.

Clause 38

14. That at page 25, lines 40 to 45 be *deleted*.

15. That at page 26,—

(i) in line 1, *for* the brackets and figure "(2)" the following be *substituted* namely:—

"Offences and punishments. 38. (1)",

(ii) in line 6, *for* the brackets and figure "(3)", the brackets and figure "(2)" be *substituted;*

(iii) in line 11, *for* the brackets and figure "(4)" the brackets and figure "(3)" be *substituted;* and

(iv) in line 16, *for* the brackets and figure "(5)" the brackets and figure "(4)" be *substituted.*

Schedule I

16. That at page 38, in line 15, *for* the figure and word "8 Kms" the figure and word "8 Kms*" be *substituted*.

17. That at page 36, after line 45, the following be inserted, namely:—

"*Where any land within the peripheral area of eight kilometres is covered by water (whether by inland waters or sea or creek), the peripheral area shall be extended beyond such water to a further distance equal to the distance measured across and occupied by such water."

I am, therefore, to return herewith the said Bill in accordance with the provisions of rule 128 of the Rules of Procedure and Conduct of Business in the Rajya Sabha with the request that the concurrence of the Lok Sabha to the said amendments be communicated to this House.'

17.49½ hrs.

URBAN LAND (CEILING AND REGULATION) BILL

As AMENDED BY RAJYA SABHA

SECRETARY-GENERAL: Sir, I lay on the Table of the House the Urban Land (Ceiling and Regulation) Bill, 1976, which has been returned by Rajya Sabha with amendments.

17.50 hrs.

DISCUSSION RE. SUGARCANE PRICE—*contd.*

सभापति महोदय · अब मैं कुछ नाम लेता हूं। जो साहेबान इस पर बोलना चाहते हैं, उनके नाम मेरे पास आ चुके हैं। मैं ये नाम पढ़ देता हूं, इसके बाद और कोई नाम नहीं बढ़ सकेगा ।

[सभापति महोदय]

श्री इराज्म् द सेकैरा, श्री [illegible] शास्त्री, श्री जगन्नाथ मिश्र, (वह यहां नही हैं) श्री पी० नरसिम्हा रेड्डी, श्री के० लकप्पा, स्वामी श्री ब्रह्मानन्दजी, (वह यहा नही हैं), श्री बी बी० नायक, श्री अनन्तराव पाटिल, (वह यहा नही है) श्री डी० डी० देसाई, और श्री शिवनाथ सिंह ।

SHRI ERASMO DE SEQUEIRA (Marmagoa) In all policies that this Government has framed, unfortunately always it is the vested interests that are protected and the common man who gets the thin end of the wedge

Look at this suger policy, pricing policy On the one side, as Member after Member in this House has said, the grower gets an inadequate return On the other side the consumer is paying a black market price for what today goes under the name of free sugar

How are the prices of cane fixed now? It is obvious that they are not correctly fixed because from every corner of the country today there is a demand from the growers that the prices should be increased And what does Government do? It talks about a commission The commission is used to delay a decision When the com mission's decision comes, implementation is delayed Who benefits from this?

If the *kisan* is not getting an adequate return and the consumer is paying a black market price, then it is very obvious that it is only the vested interests that own the mills and which we all know support this Government that are reaping the benefit of the *kisan's* sweat and the consumer's hard earned money

Throughout U P. and Bihar and all over the country, thousands of *kisans* are sweating from morning to night to produce a crop of cane and it is they who must be treated like this by this Government! Can one call them anything but a right reactionary Government?

Do you want an example as to how far they can go? What happened when the international sugar price increased? What happened to the tremendous profits that were earned by the export of sugar? Was the benefit passed on to the consumer? No Because of the export, the free market price went up further Was the benefit passed on to the grower? Also no The benefits were kept by the STC and the STC profiteered at the cost of the *kisan* and the consumer This Government also profiteered at the cost of the *kisan* and the consumer

Therefore on behalf of the BLD and our colleague party the Janta Front here I insist and demand that a committee be immediately set up to keep the entire pricing policy constantly under review so that on every crop, above all the millions of our *kisans* are first granted an adaquate return

SHRI P NARASIMHA REDDY (Chittoor) Sir, it is crystal clear that all sections of this House have raised their voice against the great injustice and the raw deal that is being given to the sugarcane growers under the prevailing system of pricing Without going into all these grounds once again, I would like to draw the attention of the House to the report presented to this House by the Committee on Petitions only last month This Committee which had gone into the petition handed over by me, on behalf of the Chittoor Co-operative Sugar Factory pleading for a realistic reappraisal and a suitable remunerative price for sugarcane ,have done a great job They have gone into the question and have given their considered findings in this Report From the Report, I would like to draw your attention to particular factors which have been highlighted therein The Government in the Ministry of Agriculture while offering its comments on the issue of the sugar-

cane price was pleased to state as follows in the Report.

It is on page 9 of the Report:

> "The Agricultural Prices Commission has recommended that the statutory minimum price for cane payable by the sugar factories in 1975-76 season be increased from the existing level of Rs. 8.50 to Rs. 9.50 per qtl. for a basic recovery of 8.5 per cent subject to a proportional premium for every 0.1 per cent increase in recovery."

However in spite of this specific recommendation of the Agricultural Price Commission which itself is totally inadequate and unsatisfactory for various reasons already mentioned, this Government did not agree even with this recommendation. The Government said that this could not be implemented because the levy price had got to be increased, which certainly is against the interest of the anti-inflationary trend. However, again, the Government chooses to say on page 9 of the Report as follows:

> "However, under the partial control policy, the producers of sugar are in a position to pay for the cane, prices higher than the minimum notified prices, from out of their higher realisations from the free sale quota of sugar."

This free sale quota of sugar towards which the cane growers are directed to seek relief and get the remunerative price has again, landed itself into a quandary on account of the policy they have revised and is being pursued.

For example, Andhra Pradesh which has been worst hit under the revised levy price of this system. Mr. Patel had been quoting figures that the levy price in the case of Andhra Pradesh, which was Rs. 153, has been drastically reduced to Rs. 117 this season, which is quite contrary to the prevailing trend and the cost of production itself. Keeping that in view, the sugar factories in Andhra Pradesh, the one my own area, says to the growers that the Government has reduced the levy price. They are not able to pay anything more than that. In fact ,they are paying less than what was paid last year. When we pointed out to them that the free market realisation was there and that it was their duty to maintain at least a minimum remunerative price at least not less than the price they were paying last year, they say that this free market realisation has also gone down.

The Government of India assumed sum 350 rupees as a free market realisation. On that basis, they have enhanced the excise duty by another 7½ per cent. Today, the market is nowhere near that figure. We are losing Rs. 40--50 on that score alone, wherefrom can we pay additional cane price? This is a sort of quandary in which we have landed ourselves on account of the illogical and irrational levy price and the dual pricing policy.

18.00 hrs.

The Committee on Petitions of the Lok Sabha having considered all the representations and comments made by the Ministry of Agriculture and Irrigation has given their considered finding in the following words:

> "From the factual comments furnished by the Ministry of Agriculture and Irrigation in regard to various points raised in the representation and after considering all the aspects of the matter, the committee are of the opinion that the price paid to the cane-growers is not adequately remunerative and it does not afford them sufficient incentives."

This is the considered finding of the Committee of this House. No more evidence is needed or any authority need be shown for the gross injustice that is now being done to the cane growers all over India and, particularly, in Andhra Pradesh.

[Shri P. Narasimha Reddy]

I would in all seriousness give my warning to the Minister of Agriculture and Irrigation that the death-knell has been sounded for the sugar industry in Andhra Pradesh. Many people who wanted to set up new sugar factories have changed their mind. They are not setting up any sugar factory. The expansion programmes have been given up. The cane growers on their part are thinking of diverting their land next year to cultivation of some other crops. According to the figures given by Andhra Pradesh Government, they say that this year, even though the crop was planted last year after the revised sugar levy policy was announced, the fall has been recorded in the crushing of the cane in the factories and in jaggary production also. This fall is to the extent of about 10 per cent. It is too early to come to a final judgment. There is still a season ahead of us. When the season comes, the fall may be much more, I am told, in the other States, the fall is much greater. If that is the position this year when the cane has been planted before the announcement of the revised sugar levy policy I do not know what will be the position next year, what will be the fall in acreage under sugar cane. You can easily imagine.

We should not allow this sort of a situation to develop in the country. We must take remedial measures much ahead of the next season so that the acreage under cane gets stabilised and cane growers, millions and millions of them, in this country should not be totally ruined.

There are several other irrational factors also about the new levy policy which we have from time to time brought to the notice of the Ministry of Agriculture and Irrigation One irrational factor to which I would like to draw the attention of the hon. Minister is about the zoning pattern for the purpose of fixing the levy price. As Mr. Patel pointed out, the country is divided into 16 zones for the purpose of fixing the levy price. The factories in each zone are clubbed together on the basis of average recovery and on the basis of average local price factors. But I would respectfully submit that economic factors and costs do not respect administrative boundaries. You cannot club all the factories in Andhra Pradesh as one zone for the purpose of fixing the levy price for them. For example, in Chittoor in Andhra Pradesh my cooperative factory is very close to the Tamil Nadu border. The nearest factory is only 30 miles in Tamil Nadu whereas the nearest factory in Andhra Pradesh is 300 miles away. The agro-climatic and cultivation factors and practices differ very widely in the other areas of Andhra Pradesh but are similar to the areas in North Arcot in Tamil Nadu.

In disregard of this factor, my factory stands clubbed with Andhra Pradesh zone and stands condemned to the same fate as that of other factories in Andhra Pradesh. It should have been treated on par with factories in the neighbouring State of Tamil Nadu. So this type of zonal system must be done away with. The sugar factories in Chittoor and Rayalasceema should be clubbed with the factories in Tamil Nadu or treated as a special zone like South Bihar. In this way, you can save lakhs of sugarcane growers from agony and misery which they cannot bear any longer. I plead for an early decision on this and a suitable reversal of this policy.

I think, this dual policy also requires a second look and revision. We have pursued this policy of having levy sugar and free sugar. The rose is a rose, by whatever name you call it. But sugar, if you call it levy sugar, it is one thing and, if you call it free sugar, it is something else. This should not continue. We will land ourselves in trouble and difficulty on account of dual policy. For example, the Supreme Court at every stage has intervened and it is the Supreme Court which is deciding the sugar price policy and not the Government of India. If that is to be avoided, bring all the sugar factories

operative sector and do away with the dual policy and save the growers by giving them a remunerative prices.

श्री रामावतार शास्त्री (पटना) : सभापति जी, भारतवर्ष किसानों का देश है, लेकिन 27 वर्षों की आजादी के बावजूद आज हमारे देश मे छोटे और मझौले किसानो की स्थिति दयनीय-की-दयनीय बनी हुई है। इस पूजीवादी समाज मे, सभापति जी, किसानो पर दोहरी लूट चल रही है—एक तरफ जब वह अपनी सामान्य उपज—गल्ला, ईख या जो चीजें अपनी खेती मे उपजाता है, उन को बेचने आता है तो उसको मुनासिब दाम नही मिलते, दूसरी तरफ—जब वह अपनी खेती के सामान या अपने जीवन के लिये आवश्यक चीजे बाजार मे खरीदता है तो उसे उन चीजो के लिये अधिक दाम देने पडते है। इस तरीके से हिन्दुस्तान के किसानो की दोहरी लूट हिन्दुस्तान का पूजीपति करता है, हिन्दुस्तान के मुनाफाखोर और कालाबाजार करने वाले करते हैं। यही बात आज ईख पैदा करने वाले किसानो के साथ हो रही है। ईख की पैदावार हमारे देश मे बहुत होती है, खास तौर से उत्तर प्रदेश और बिहार की बात मैं जानता हू। हमारे बिहार मे भी चीनी की मिलो की काफी सख्या है और किसान भी बहुत बडी सख्या मे ईख पैदा करते है। लेकिन उन्हे मुनासिब दाम नही मिलता, जिसका असर उनके ऊपर यह पड रहा है—और यह पडना लाजमी भी है—कि वे धीरे-धीरे ईख की खेती कम करते जा रहे है। यो तो सरकार कहती है कि इसकी खेती मे वृद्धि हो रही है, लेकिन मै अपने सूबे मे अपनी आखो से देखता हू—जब उन्हें लागत भी नही मिलती है, ज्यादा की बात तो आप भूल जाइये, तो फिर किसान ईख की खेती क्यों करेगा। किसानों के अन्दर इस तरह के भाव पैदा हो रहे है कि इसकी खेती करने से क्या फायदा है जब कि लागत भी नही मिलती है। जिसका असर हमारे देश की विदेशी मुद्रा पर भी पडेगा, क्योंकि इसके द्वारा हम काफी विदेशी मुद्रा अर्जित करते हैं।

जो लोग आज किसानो के बीच मे काम करते है, वे लोग उनकी दिक्कतो को जानते है—किस तरह से खेती का खर्चा बढ गया है और इसी लिये वे लोग माग कर रहे है कि सरकार को ईख पैदा करने वाले किसानो, चीनी पैदा करने वाले कारखानेदारो के बारे मे अपनी नीति को बदलना होगा। इस समय कारखानेदारो की जो लूट की नीति चल रही है, जिसका शत-प्रतिशत लाभ वे स्वय उठाते है, किसानो को कुछ नही देते है, जनता के महगे दामो पर चीनी बेचते हैं अब तो गैर-लेवी के नाम पर उन्हे आधा हिस्सा मिल गया है, पहले 60 प्रतिशत चीनी राशन से मिलती थी, लेकिन अब बराबर की मिलती है, इसमे लूट ज्यादा बढ गई है। हमारे माननीय सदस्य श्री सरजू पाण्डेय ने अपने भाषण मे ठीक ही कहा था—यू० पी० मे चीनी मिलो के मालिक ही सरकार को बनाते और बिगाडते है, जिसका जायजा अभी हम को मिला है, वहा बहुगुणा जो हटा दिये गये और दूसरे—जी आ गये—इस तरह की बाते चीनी मिल मालिक कर रहे है अपने फायदे के लिये ताकि कोई भी राष्ट्रीयकरण की बात न कर सके। लेकिन अब यह माग बिहार मे भी उठ खडी हुई है। वहा की विधान सभा ने भी प्रस्ताव पास किया है कि चीनी के कारखानो का राष्ट्रीयकरण कर लेना चाहिये, क्यो कि वे किसानो को लूट रहे हैं शहर की जनता को लूट रहे है, चीनी इस्तेमाल करने वालो को लूट रहे हैं। अखिल भारतीय किसान सभा ने भी अपना एक ज्ञापन अपने प्रतिनिधि मंडल के साथ कृषि मंत्री श्री जगजीवन राम जी को दिया जिसमें

(श्री रामावतार शास्त्री)

उन्होने माग की है कि आज जो लागत लग रही है किसान की ईख पैदा करने से उसे देखते हुए 20 रु० क्विटल से कम कीमत गन्ने की नही होनी चाहिये। लेकिन उत्तर प्रदेश सरकार एलान करती है कि 12 25 और 13 25 पैसे प्रति क्विटल गन्ने की कीमत होगी। बिहार सरकार एलान करती है 12 50 पैसे प्रति क्विटल गन्ने की कीमत होगी। और अभी कुछ दिनो पहले हमारे क्षेत्र के बगल मे, लोक सभा के वर्तमान अध्यक्ष के क्षेत्र म साउथ बिहार शुगर मिल बिहटा है वहा के किसानो को 13 रु० क्विटल के हिसाब से पैसा दिया गया। अब मुख्य मत्री के कोई अपने आदमी है जो उस कारखाने से सबधित है शायद उनके कहने पर कहा जा रहा है कि नही 12 या 12 50 रु० से ज्यादा नही देगे। जिनका इससे अधिक भाव से पैसा दिया जा चुका है वे किसान पैसा वापस करे। अब किसान कहा से वापस करे ? तो इस तरह को धाधली चल रही है। इसी तरह की एक और मिसाल है उत्तर बिहार के गोपालगज मे हरखुआ की। वहा विष्णु शुगर मिल है जो किसानो और मजदूरो को लूटती है खुले आम। मजदूरो के लिये तीन किलो चीनी महीने मे देने की व्यवस्था है, लेकिन वह चीनी नही देती और उसे ब्लैक मार्केट मे मिल मालिक बेच कर लाखो रु० कमाता है। उसके खिलाफ अगर कोई आवाज उठाता है तो उसे मरवाने की धमकी दी जाती है। यूनियन के लीडरो को तरह तरह से परेशान करने की कोशिश की जाती है। ये बाते चल रही है। खुद मजदूरो को किस तरह से यह लूटते हैं ? 301 रु० कम से कम तनख्वाह तय की गई है चीनी कारखाने के मजदूरो के लिये। लेकिन यह तनख्वाह सब जगह नही मिलती है। मैं जानता हू साउथ बिहार शुगर मिल जो बिहटा मे है, जो अध्यक्ष जी का क्षेत्र है, वहा मजदूरो में बड़ा असंतोष है। उन्होने मुझे पत्र लिखा कि आप प्रधान मंत्री के 20 सूत्री कार्यक्रम के समर्थन के लिये तो कहते हैं, और हम साथ देने को तैयार भी है, लेकिन कारखानेदार हमारी न्यूनतम मजदूरी भी देने को तैयार नही है। इसलिये मेरा निवेदन है कि सरकार चीनी के कारखानो का राष्ट्रीयकरण करे और जो मौजूदा कीमत तय की है उसमे वृद्धि करके 20 रु० क्विटल की घोषणा करे, तभी किसानो को हम लूट से बचा सकेगे। नही तो उनकी लूट जारी है। हमारे सूबे मे मालगुजारी चार गुना बढा दी गई, पानी का रेट दुगना बढा दिया गया, लेकिन गन्ना लकडी से भी सस्ता है। इस स्थिति मे उनका सहयोग नही मिलेगा चाहे कोई कार्यक्रम हो। उन्हे अपने पाव पर खडा कीजिये, वे समझे कि देश हमारा है, जो चीज हम पैदा करते हैं उसका मुनासिब दाम मिलता है, चाहे वह गन्ना हो अन्न हो या और कोई उपज हो।

इन शब्दो के साथ मुझे विश्वास है कि सरकार इन बातो पर विचार करके जवाब देगी।

SHRI D D DESAI (Kaira) The policy towards the farmers and the countryside has to be looked at in the proper perspective After India came under the domination of foreigners, bureaucracy became accustomed to exploitation of the countryside and remitting finances to certain sectors After the British came, this technology was refined The outgoing British rulers said that they had left a steel frame Unfortunately, we feel that the so-called steel frame is nothing but a steel cage for our development Our countryside has been so badly harmed The test case is before us. If any one checks the figures of levy sugar price which have been given, he would come to the quick decision that the whole thing is nothing but a fraud on the poor cane growers. The policy has provided for payment of Rs. 442 to South Bihar, Rs. 224 for North Bihar,

Rs. 118 for Andhra, Rs. 124 for Gujarat, Rs. 140 for Maharashtra and Rs. 140 for Karnataka. The South Indian sugar mills are mostly cooperatives. Gujarat has hundred per cent cooperatives; the other South Indian sugar mills are mostly cooperatives 'Cooperatives' mean ownership of farmers. The result is this. They make an advance payment of Rs. 14/- in our place, in Gujarat, the particular mill makes an advance payment of Rs. 14 and then whatever surplus is left is once again distributed among the farmers. The same is the technique in Maharashtra, in Andhra Pradesh and so on.

But the levy sugar price provided is Rs. 118, Rs. 124 and Rs. 140. What is the logic? On the one hand, you provided Rs. 140, Rs 128 and Rs. 124 and on the other you provide for Rs. 442. And the party, who had declared like this comes forward under a glorious name of making calculations based on some Supreme Court Judgment. The Supreme Court judgment was essentially a different thing. The price that uniformally existed in the middle of 1972 was Rs. 150 all over India. The Supreme Court said that the pricing could not be so uniform; it has to be related to cost; the cost is related to recovery and the length of the crushing season. Now the crushing season is related to irrigation possibilities and the recovery is related to extension of sugar-cane growing technology. Both of these things vary from plant to plant or district to district. The result would have been that the pricing should have been based on these two factors, but unfortunately, the Government was misled by certain sugar interests to go in for some figures which are not related to either of these things, and naturally unrelated to these two features of the Supreme Court judgment.

The 20-Point Programme is essentially meant for our rural people. The Prime Minister is here and I congratulate her for the 20-Point Programme. The rural people who are really the soul of our country should get a better deal and for that matter whatever needs to be done, should be done.

In most of the countries of the world, agriculture is subsidised. Anyone, who has travelled in any part of Eastern, or Western Europe or for that matter America would know that the agriculture is subsidised. By what? It is by industries and other sectors. In this country, agricultural commodities like cotton are 57 per cent of the prices of international prices and some even 40 per cent of international prices and industry thinks that low agricultural prices are necessary to keep it alive. This is something which is not proper.

There has been a certain feeling that 60—40 per cent of investment in the co-operative sector is mostly Government investment. May I tell you that 60 per cent of investment all over India in today's cooperative sugar mills is from the sugar cane growers. These are the farmers 'and growers' coperatives. When these cooperatives have this high rate of investment from farmers and growers what business the people sitting in Delhi, who do not know anything of sugar and sugarcane, have the authority to liquidate them by fixing prices? For that matter, I would say that even the Agriculture Prices Commission should be wound up. A body of the House should be formed to fix the prices, whether it be cotton, jute or any other produce. What have these people who only work with pen or pencil and paper got to do with these things and agriculture? These people have manipulated figures. I have gone through these. Tariff Commission, Supreme Court and all these tall words are used as facade to cover up a really shameless deed. It is shameless, because one of the sugar factories which Shri H. M. Patel referred to and which is in my district, Charutar Khand Udyog, has suffered a loss of 168 lakhs. whereas its paid-up capital is 110 lakhs. In other words, it is already liquidated.

[Shri D. D. Desai]

Had it not been for the cooperative bank, they would have closed their doors The levy sugar prices is low. There has been a desire and an expression of our intention to export more sugar We gained Rs 350 crores last year This year we wanted to get Rs. 450 crores In fact we could have got a thousand crores but for the shortsighted policy Last year I made a strong plea that we should give at least Rs 17 for the cane to the growers and assure that well in advance When these high prices were given to sugar mills in North India for levy sugar, these mills have immediately become so greedy that they were hesitant to pay even Rs 11 and it was at government's intervention that they agreed to pay new about Rs 12 50 to Rs 13 25 or Rs 13 50 whereas in the entire South India as also in Gujarat where 100 per cent of the sugar mills are in the co-operative sector we pay not less than Rs 14 In Andhra Pradesh some mills are paying Rs 12 or Rs 13 or Rs 14 but that is not a final payment and that is only an advance payment and the final payment works out to much higher amount if the carry-forward profit is there

Therefore I would strongly support my friends who have spoken earlier and who have suggested a few things I do not want to repeat them as the time is running out But I would say this much There is no case for such a big differential which Mr Patel has brought out I have also got all the figures with me and I have also got all the analysis with me If anybody is defrauding the government—Mr Shahnawaz Khan is sitting here— I will tell him that if anybody is defrauding the government then call me and I will render him a service There is nobody to my knowledge in India who would be able to fool me and, therefore I would not be fooled like that and I cannot be a party to such a misdeed in the name of scientific analysis, in the name of Supreme Court judgment and Tariff Commission reports Do you know? The Tariff Commission has been submitting hundreds of reports. Ask the Government if they have been accepting all of their reports? They have been accepting their recommendations partially and many a times they have been throwing their recommendations to the winds Now, when it suits and when somebody has taken something here and there—I would not say bribe—but whatever it may be, the follows (*Interruptions*) They are talking in the name of Tariff Commission It is a shameless talk The fellows should be well aware that they are not only telling lies but they are trying to fool the government Now, what is the Tariff Commission? The Tariff Commission goes into details and the House is above the Tariff Commission Therefore, let the House judge Let a Committee be formed and let the figures be allowed to be worked out As for the Agricultural Prices Commission—I am very angry at it because we have been continuously pressurised to bring the farmer down and down to a level that he has been made one of the poorest persons in the world

श्री [illegible] सिंह (झुंझुनू) सभापति महोदय, गन्ना उत्पादक को गन्ने की कीमत क्या मिले इस पर इस सदन में और बाहर भी कई बार विचार हो चुका है। आज किसी माननीय सदस्य ने 14 रुपये की माग की है किसी ने 16 रुपये की और किसी ने 18 रुपये की। मैं निवेदन करना चाहता हू कि किसान भीख नही मागना चाहता है आज सरकार को स्पष्ट रूप से कह देना चाहिये कि हम किसान को गन्ना और इसी तरह गेहू और चावल आदि के उत्पादन की कास्ट प्राइस और उसके बाद रीजनेबल प्राफिट देंगे। मैं चैलेंज करता हू कि मंत्री महोदय स्पष्ट रूप से यह घोषणा करने की स्थिति मे नही है कि हम गन्ना उत्पादक को उसके उत्पादन की कीमत और उसके साथ रीजनेबल प्राफिट देंगे।

आज किसानों की पैदावार की नीलामी सट्टा में जुएं के कफन की नीलामी की तरह होती है। किसी भी इण्डस्ट्री में बनी चीज की कीमत उसकी लागत से कम नहीं होती है, चाहे वह कपड़ा उद्योग हो, या कोई अन्य उद्योग हो। जहां तक चीनी उद्योग का सम्बन्ध है, आज चीनी मार्केट में 4 रुपये 70 पैसे और 4 रुपये 80 पैसे किलो के हिसाब से बिकती है, जबकि किसान को गन्ने का दाम केवल 12, 13 रुपये क्विंटल मिलता है। इस बात को अवश्य ध्यान में रखा जाना चाहिये कि किसान के उत्पादन की कीमत कितनी है, वरना हम किसान को बचा नहीं पायेंगे।

किसान के लिये यह भी पाबन्दी है कि उसको अपना सारा गन्ना एक विशेष फैक्टरी को बेचना पड़ता है। मगर उसके लिये यह भी सुरक्षित नहीं है कि वह फैक्टरी को जितना गन्ना बेचेगा, उसका रुपया उसको मिल जायेगा। वह भी बकाया चलता रहता है।

अगर फैक्टरी में मशीनरी की कीमत कितनी बढ़ी है लेबर की कास्ट बिजली और कोयले आदि की कीमत कितनी बढ़ गई है, इस सब को कैल्कुलेट करके चीनी की कीमत तय की जाती है मगर खाद, ट्रैक्टर, पम्पिंग सेट और फ्यूल आदि के दाम कितने बढ़ गये है और किसान का कास्ट आफ प्रोडक्शन कितना आता है, इसका ध्यान नहीं रखा जाता है।

इस सदन में एग्रीकल्चरल प्राइसिज कमीशन का ज़िक्र किया गया है। मैं समझता हूं कि इससे बोगस संस्था इस देश में और कोई नहीं है। कुछ महीने पहले इस कमीशन के चेयरमैन ने रेडियो पर भाषण देते हुए कहा कि हम कीमत तय करने के लिये इन फैक्टर्ज को दृष्टि में रखते हैं, किसान की उत्पादकता कनज्यूमर्ज प्राइस और इनफ्लेशन आदि। वह इस तरह आर्ग्युमेंट दे रहे थे, जैसे कि वह किसान पर कोई बड़ा एहसान कर रहे हो। यह सब सुन कर हमारे साथियों को इतना गुस्सा आया कि वे कहने लगे कि हम कमीशन के चेयरमैन का तो कुछ नहीं कर सकते, हम इस रेडियो को ही तोड़ दें। इस तरह के बेहूदा आर्ग्युमेंटस दिये जाते हैं। इस संस्था को कतई खत्म कर देना चाहिए।

मैं चैलेंज करता हूं कि अगर कोई भी एक्सपर्ट यह कहने के लिए तैयार है कि किसान के उत्पादन पर जितना खर्च होता है, वह उसको मिलता है, तो मैं उसके सामने नतमस्तक होने के लिए तैयार हूं। गवर्नमेंट के अपने एग्रीकल्चरल फार्म्ज हैं, एग्रीकल्चरल यूनिवर्सिटीज हैं। लेकिन वे कभी यह प्रकाशित नहीं करती हैं कि किसान का कास्ट आफ प्रोडक्शन क्या होता है। एग्रीकल्चरल प्राइसिज कमीशन ने भी यह प्रकाशित नहीं किया है कि एक एकड़ गन्ने के लिए इतना बीज लगेगा, इतना फर्टलाइजर चाहिए और किसान की इतनी मेहनत लगेगी। सरकार कम से कम यह तो प्रकाशित करे कि वह खेती के जिस उत्पादन की प्राइस फिक्स करती है उसका पर-एकड़ कास्ट आफ प्रोडक्शन क्या आता है। लेकिन वह कभी यह नहीं करेगी।

आज केन्द्रीय सरकार और प्रान्तीय सरकारों का रास्ता है कि वे फैक्टरीज को यह बता देना चाहिए कि हमारी कोई गारंटी नहीं है कि हम हमेशा फैक्टरीज को प्रोटेक्शन देते रहें। किसान का गन्ना पैदा करना पड़ेगा और फैक्टरी का देना पड़ेगा, अगर फैक्टरीज नहीं चलेंगी तो उत्पादन नहीं होगा और इससे देश तबाह हो जायेगा यह है आज सरकार के सोचने का ढंग। लेकिन अगर किसान बर्बाद होता है, तो उसकी तरफ कोई ध्यान नहीं दिया जाता है। किसान के उत्पादन के दामों के बारे में केल्कुलेशन एयर कंडीशन्ड कमरे में बैठ कर सरकारी अफसर करते हैं। जिनको एग्रीकल्चर के

[श्री विश्वनाथ सिंह]

एक्सपर्ट्स और एकानोमिस्ट्स कहा जाता है उन्होंने कभी किसान और उसके खेत को नही देखा है। सरकार ने जो मिनिमम वेज तय की है, कम से कम वह तो किसान के परिवार के लिए एशोर कर दी जाये। मिनिमम वेज तो छोडिये, कम से कम उसमे आधी वेज तो उसके लिए एशोर कर दी जाये। किसान अपने काम के लिए बीज, खाद, पानी और बिजली पर जो खर्च करता है, वह खर्च और उसके बाद कुछ प्राफिट तो उसको मिलना चाहिए।

आज हवा बन रही है कि किसानो की हालत बहुत अच्छी हो रही है। किसानो की हालत सुधरी है, इसमे कोई दो राये नही है। लेकिन उनकी हालत केवल खेती के भरोसे नही सुधरी है। आज किसान का लडका देश की सीमाओ पर सदा मे देश की रक्षा कर रहा है। उसकी एक्स्ट्रा इनकम फैमिली मे एड होती है। इसी तरह किसान का लडका स्कूल मे शिक्षक है या मिल मे नौकर है। उसकी इनकम मे किसान अपने परिवार को पाल रहा है, वर्ना अगर पाच, दस या बीस एकड के किसान को भी शुद्ध रूप से केवल खेती मे रखें, तो वह कभी पनप नही सकता है, अपने बच्चो को शिक्षा नही दे सकता है, कपडे नही पहन सकता है, उसको आधा पेट खा कर रहना पडेगा। जो लोग शहरो मे रहते हैं, या जो यूनिवर्सिटीज की डिग्रीज लिये फिर रहे हैं, उनको व्यावहारिक ज्ञान नही है। उनको इस बात से चिढ है कि किसान का लडका रेडियो क्यो रखता है, वह पेट क्यो पहनता है? ये लोग इस तरह की बातों को देख कर किसानों के बारे में अपनी राय कायम करते हैं और उनके उत्पादन की प्राइस तय करते हैं। आज इस रवैये को बदलना पडेगा।

शूगरकेन की प्राइस और शूगर की प्राइस मे जो फर्क है, उसको भी देखना पडेगा। फैक्टरी मे शूगरकेन जाता है। उसके बाद एस्टाब्लिशमेंट का खर्चा क्या है, रीजनेबल मार्जिन क्या है, इन सब बातो को दृष्टि में रखना चाहिए। लेकिन सरकार ने फैक्टरी-ओनर्स को खुला छोड दिया है। सरकार उन्हें गन्ने का दाम 12 रुपये प्रति क्विटल देने के लिए कहती है। फैक्टरी का मालिक, इंडस्ट्री का प्रोड्यूसर अपनी मर्जी से 4 70 रुपये या 4 80 रुपये प्रति-किलो के हिसाब से मार्केट मे चीनी बेचे, यह कहा का न्याय है?

आप ने इधर काश्तकार को पाबन्द कर दिया उधर उसका रेट पाबन्द कर दिया। इसलिए हमे जो मार्जिन आफ प्राफिट है उसको देखना पडेगा। आज हम देखते हैं कि मार्जिन आफ प्राफिट उसमे एड नही कर पाते हैं। हमारी प्राइसिंग पालिसी ठीक नही है। उसके अंदर जो भी फैक्टर्स शामिल होने चाहिए वह शामिल नहीं कर पाते हैं और ऐटरैंडम मालिकों के ऊपर छोड देते हैं। आज शुगर फारेन एक्सचेंज कमा सकता है और कमा रहा है लेकिन काश्तकार की बरबादी की कीमत पर। इसलिए बहुत सी जगह काश्तकारो ने गन्ने के बजाय दूसरी क्राप

बोना शुरू कर दिया है और अगर यही हाल रहा तो इनको अपनी मिलें बन्द करनी पड़ेंगी। लेकिन यही हाल कपास में है, यही हाल गेहूं में है, यही हाल चावल में है। इसलिए मेरा निवेदन है कि शुगरकेन की प्राइस और दूसरी ऐग्रीकल्चरल कमोडिटीज की प्राइस रीजनेबल हो ऐसा रास्ता निकालना चाहिए। किसान की कास्ट आफ़ प्रोडक्शन को ध्यान में रखते हुए उससे कम उसको न दें और सरकार को स्पष्ट घोषणा करनी चाहिए कि किसान को कभी उसकी लागत से कम कीमत नहीं देंगे। तब तो इस वाद विवाद का कुछ लाभ होगा वरना बार-बार हम कहते आये हैं और आप सुनते आये हैं, वही रांड रोयगी और वही पावना जीयेंगे।

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI SHAHNAWAZ KHAN): Mr. Chairman, Sir.. ..

सभापति महोदय . अब आप कल अपना भाषण जारी रखें।

18.32 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Friday, February, 6, 1976/Magha 17, 1897 (Saka).

GMGIPND—L—2355 LS—Lino D/S— 10-3-76—978.